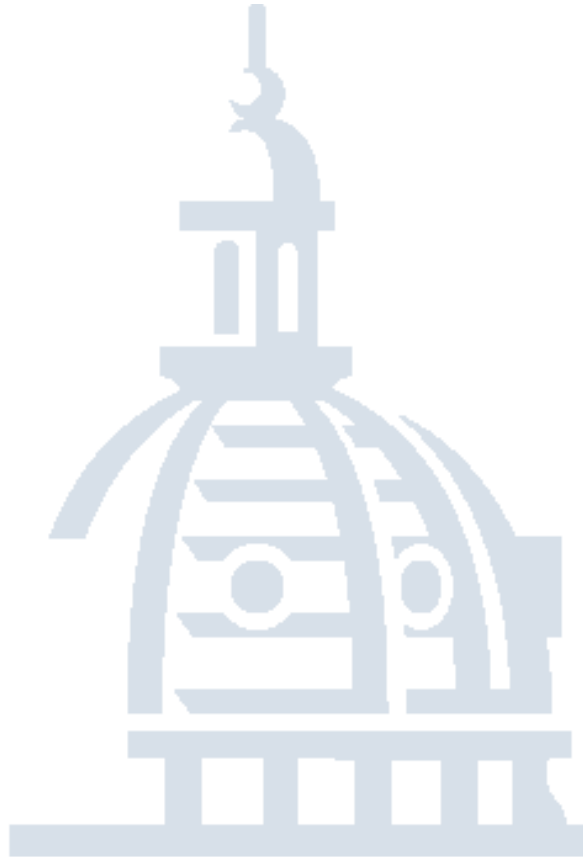


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**JUSTICE SYSTEM APPROPRIATIONS  
SUBCOMMITTEE  
DETAILED ANALYSIS OF THE  
FY 2013 GOVERNOR'S RECOMMENDATIONS**



**FISCAL SERVICES DIVISION**

**JANUARY 2012**



**LEGISLATIVE  
SERVICES AGENCY**

*Serving the Iowa Legislature*

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Rob Hogg, Vice Chairperson

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Gary Worthan, Chairperson

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Rich Anderson

Lee Hein

Lance Horbach

Jerry Kearns

Rick Olson

Mary Wolfe

## LEGISLATIVE SERVICES AGENCY

### Fiscal Services Division

Jennifer Acton (515-281-7846)  
[jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

Beth Lenstra (515-281-6301)  
[beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

### Legal Services Division

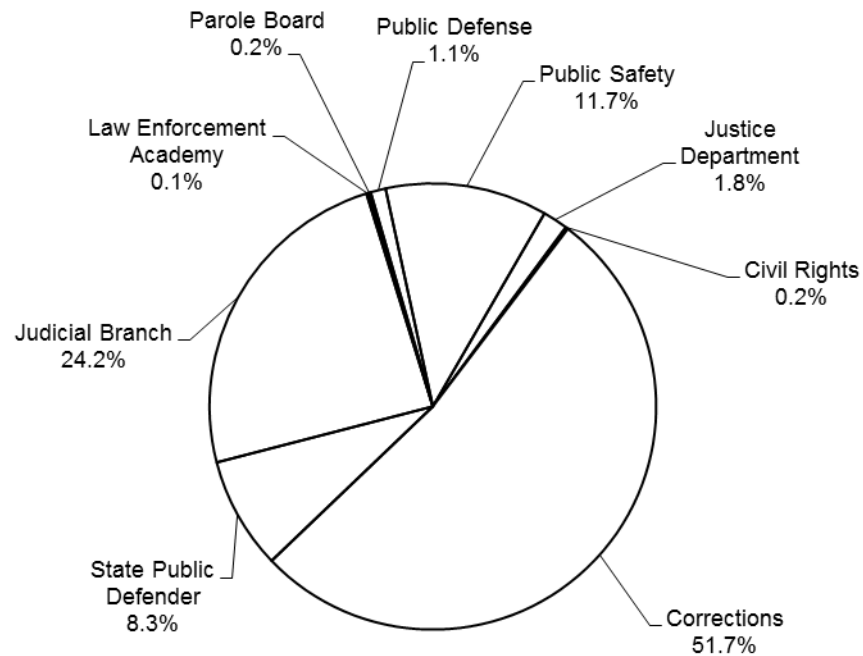
Joe McEniry (515-281-3189)  
[joseph.mceniry@legis.state.ia.us](mailto:joseph.mceniry@legis.state.ia.us)

John Pollak (515-281-3818)  
[john.pollak@legis.state.ia.us](mailto:john.pollak@legis.state.ia.us)



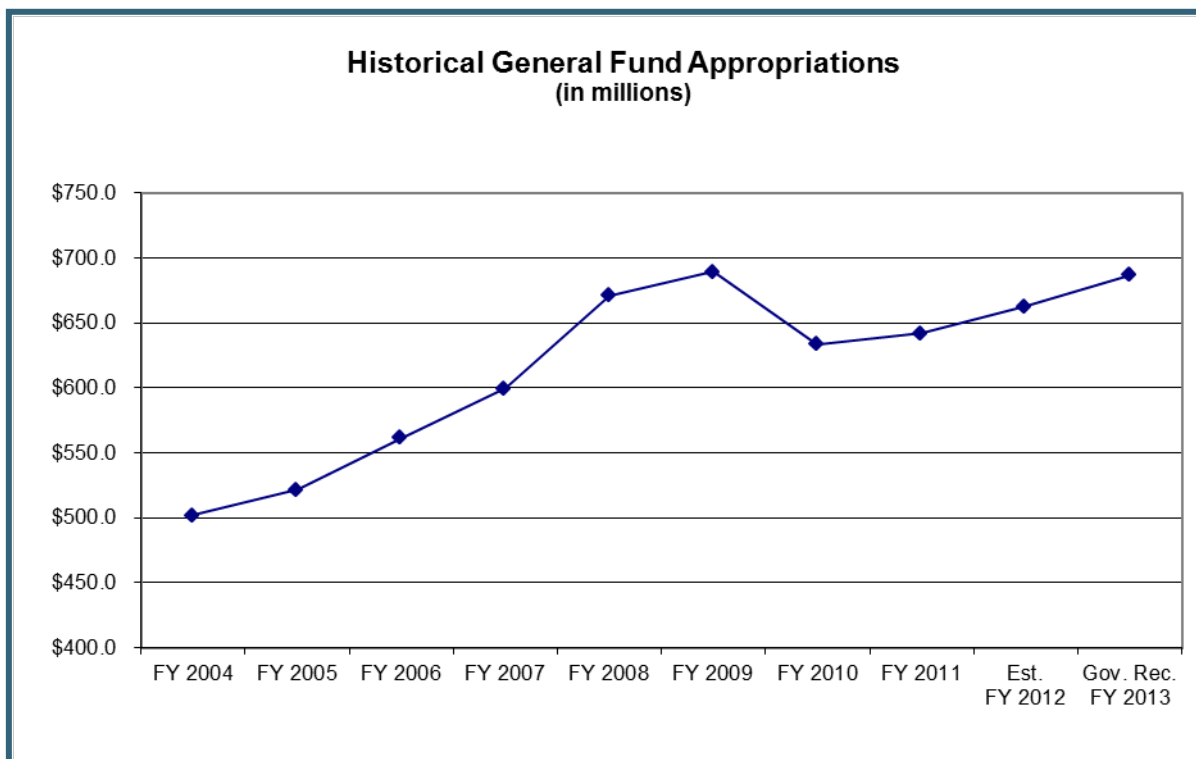
## JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

### FY 2013 General Fund Governor's Recommendations



### FY 2013 General Fund Governor's Recommendations

Justice Department	\$ 12,484,161
Civil Rights	1,297,069
Corrections	360,654,803
State Public Defender	55,764,111
Judicial Branch	166,404,540
Law Enforcement Academy	968,698
Parole Board	1,203,835
Public Defense	7,511,919
Public Safety	80,589,254
	<u>\$ 686,878,390</u>



## FY 2013 GOVERNOR'S RECOMMENDATIONS

### Department of Justice

The Attorney General is the head of the Department and is elected by popular vote every four years. The Department is composed of the [Attorney General's Office](#), Prosecuting Attorney Training Coordinator, and the Consumer Advocate's Office. The Department represents the State in all litigation, issues formal and informal opinions and advice to State agencies, prosecutes criminal offenders at the request of county attorneys and handles all criminal appeals, and administers the following programs: Farm Mediation, Crime Victim Assistance, and Legal Services Poverty Grants. Refer to the *Fiscal Topic Budget Unit: Office of the Attorney General* for more information.

The Governor is recommending FY 2013 General Fund appropriations totaling \$12.5 million. This is no change compared to estimated FY 2012.

## General Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Justice, Department of</u></b>			
<b>Justice, Dept. of</b>			
General Office A.G.	\$ 7,792,930	\$ 7,792,930	\$ 0
Victim Assistance Grants	2,876,400	2,876,400	0
Legal Services Poverty Grants	1,814,831	1,814,831	0
<b>Total Justice, Department of</b>	<b>\$ 12,484,161</b>	<b>\$ 12,484,161</b>	<b>\$ 0</b>

## Other Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Justice, Department of</u></b>			
<b>Consumer Advocate</b>			
Consumer Advocate - CMRF	\$ 3,136,163	\$ 3,136,163	\$ 0
<b>Total Justice, Department of</b>	<b>\$ 3,136,163</b>	<b>\$ 3,136,163</b>	<b>\$ 0</b>

## Issues

**FY 2012 Budget** – During the Governor’s budget hearing, Attorney General Tom Miller provided the Governor with an overview of the Iowa Department of Justice’s budget. The Attorney General indicated the budget is reaching perilous levels and further cuts cannot be sustained. He highlighted that area prosecutions (assistance to county attorneys), criminal appeals (the Office handles all appeals to the Appellate Courts), and special litigation (workers compensation and tort claims) have all had double digit reductions since FY 2009. Attorney General Miller also stated that victim services must remain a funding priority.

**Appellate Cases** - The Governor and Attorney General discussed the Supreme Court changing its approach to appellate defender motions to withdraw for frivolous appeals. This will increase the workload of both the State Public Defender’s Office and the Office of the Attorney General.

**Notice of Mortgage Foreclosure Counseling and Mediation Services** - The Attorney General indicated during his budget hearing with the Governor that he prefers extending a requirement that a notice of the availability of mortgage foreclosure counseling and mediation services be provided to individuals facing foreclosure proceedings. Current law provides that the requirement to provide such notice expires on July 1, 2012.

**Second Injury Fund** - Current law in Iowa Code section 85.67 permits the Office of the Attorney General to be reimbursed up to \$150,000 annually from the Second Injury Fund. The Attorney General indicated during his budget hearing with the Governor that he would like to see that reimbursement cap increased to reflect the increased second injury caseload handled by his Office.

**Proposed Legislation** – The Attorney General is proposing the following legislation:

- Amend Iowa's law on the possession of child pornography by allowing prosecutors to file multiple charges against defendants for possession of multiple computer images of child pornography. Currently, only one charge may be pursued if only one computer is involved.
- Enhance the penalty for domestic abuse cases involving strangulation.
- Require a person convicted of an aggravated misdemeanor to submit a DNA sample.
- Revise the crime victim compensation program (1) to allow compensation for elderly victims of financial exploitation and for victims of identity theft, (2) to establish a consistent definition of "homicide victim survivor," and (3) to allow money in the crime victim compensation fund to be used for the identity theft passport program.
- Increase the jurisdictional limit of the Iowa Consumer Credit Code from \$25,000 to \$50,000 in the case of purchase or lease of motor vehicles.
- Require mobile home owners to have good cause to terminate a mobile home rental agreement.
- Extend the notice for mortgage foreclosure counseling and mediation services.
- Increase the reimbursement cap on the Second Injury Fund.

**Legal Services Poverty Grants** – The Legal Services Poverty Grants General Fund appropriation supports Iowa Code section 13.34 to provide civil legal services to people in poverty. Federal funds are a significant portion of the budget. These funds may be reduced due to anticipated future federal budget expenditure reductions. Please refer to the *Fiscal Topic* [Budget Unit: Legal Services Poverty Grants](#) for more information.

**Office of the Consumer Advocate** – The Office is funded from the Department of Commerce Revolving Fund at \$3.1 million in FY 2012. This is a decrease of \$190,000 compared to FY 2011. The Office underspent its funding authority by \$372,000 in FY 2011. This is not a reversion. The expenses were not incurred and, therefore, the utility industry was not billed. Please see the *Fiscal Topic* [Budget Unit: Office of the Consumer Advocate](#) for additional information. The Governor is recommending \$3.1 million for the Office of the Consumer Advocate in FY 2013. This is no change compared to estimated FY 2012.

**False Claims Act** – Senate File 2088 (Government Reorganization and Efficiency Act) created a new Iowa Code Chapter, False Claims Act, that is an attempt to secure a larger recovery for the State (10.0%) under Medicaid fraud actions. The language is broader than Medicaid fraud. The Act provides a procedure for the State and private individuals to bring an action for fraud against a person that may result in financial loss to the government. The State statute was approved by the federal Department of Health and Human Services in December 2011 so it can now be implemented. Iowa had been operating under the federal False Claims Act. As of January 2012, there are approximately six *qui tam* cases under seal. The Attorney General's Office has not brought or intervened in any cases. The 10.0% increase in recovery amounts may apply to some of these cases.

## **Civil Rights Commission**

The Commission exists to protect the civil rights of all persons throughout Iowa. The [Civil Rights Commission's](#) primary functions are to enforce the Iowa Civil Rights Act, investigate and resolve discrimination complaints as a neutral fact finder, advocate for compliance with civil rights laws, and

educate and train Iowans to recognize and prevent discrimination. Refer to the *Fiscal Topic Budget Unit: Iowa Civil Rights Commission* for additional information.

The Governor is recommending an FY 2013 General Fund appropriation of \$1.3 million. This is no change compared to estimated FY 2012.

#### General Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Civil Rights Commission</u></b>			
<b>Civil Rights Commission</b>			
Civil Rights Commission	\$ 1,297,069	\$ 1,297,069	\$ 0
<b>Total Civil Rights Commission</b>	<u>\$ 1,297,069</u>	<u>\$ 1,297,069</u>	<u>\$ 0</u>

#### Issues

**State Audit Report** – The Auditor of State issued the FY 2010 audit report of the Iowa Civil Rights Commission. One of the finding pertained to the Commission seeking voluntary contributions in the range of \$100 to \$300 to settle housing cases and using the funds to provide fair housing training. The Auditor’s Office found nothing in the Iowa Code, agency rules, or case law that expressly permits the Commission to seek voluntary contributions as part of mediation or the predetermination process. The Commission ceased seeking voluntary contributions as a term of settlement as of February 2011.

**Statistics** – The Commission closed 1,763 cases in FY 2011, a decrease of 190 (9.7%) compared to FY 2010. Additionally, the average number of days to process a case increased 3.74 days (1.5%) during the same period. The decrease in case closures and increase in processing time was due to staff turnover and/or transitioning of multiple staff members, the change in Directors, and change in focus of the Commission. The nonhousing investigative process was overhauled in August 2011 in an effort to address the backlog and improve the investigations and decisions made by the Commission.

**FY 2012 Budget** – Director Beth Townsend indicates the goal of the Commission is to end discrimination in the State of Iowa. This can best be done by eliminating the nonhousing backlog, improving the quality of screening decisions and investigations, and completing investigations and processing of non-housing complaints within six months of filing. Improved investigations and decisions may help reduce litigation in State courts. The Director has implemented the following changes in FY 2012.

- The administrative unit has been reorganized and now completes the work previously done by three civil rights specialists.
- These three positions were reclassified and downgraded to administrative clerk specialists that will result in significant salary savings. Salary expenditures are expected to decrease in FY 2013 due to staff turnover, recent retirements, and the reclassification of three positions. Work rules for the office were established in March 2011, providing more guidance and structure for employees.
- The screening process for civil rights complaints has been overhauled by providing more in-depth reviews to the parties. Attorneys for the plaintiff and the respondent are involved in an in-depth screening process so cases can be resolved quickly.

- Twenty attorneys statewide have agreed to be mediators for the Commission. Mediators are paid mileage but not compensation. These attorneys are experienced in employment law and provide an alternative to the parties to resolve cases before they are investigated.
- The U.S. Department of Housing and Urban Development (HUD) has changed the allocation of their resources by requiring any local agency handling cases for HUD to investigate a minimum of 10 cases annually. Agencies with fewer than 10 complaints annually will be referring cases to the Iowa Civil Rights Commission. This is expected to shift and increase the number of housing cases processed by the Commission.
- There is a significant lack of information from both HUD and the Equal Employment Opportunity Commission regarding federal funding.
- The Commission has implemented infrastructure upgrades by purchasing required software licenses and updates; providing new computers with CD write and play capabilities for all civil rights specialists; providing network scanning capabilities throughout the Commission, and purchasing a subscription to WESTLAW for more efficient legal research.

### **Department of Corrections**

The [Department of Corrections](#)' mission is to protect the public, employees, and offenders from victimization. The Department operates nine prisons to incarcerate legally-committed adult offenders; partners with eight Community-Based Corrections (CBC) District Departments to provide supervision for offenders on parole, probation, work release, and Operating While Intoxicated (OWI) offenses; provides opportunities for offenders to make improvements through various educational, skill development, and counseling programs; trains professional staff; operates Iowa Prison Industries; and provides oversight of local jails.

The Governor is recommending FY 2013 General Fund appropriations totaling \$360.7. This is an increase of \$14.0 million (4.0%) compared to estimated FY 2012. The Governor is also recommending a FY 2012 supplemental appropriation of \$6.5 million. The Governor's recommendation for FY 2013 General Fund appropriations would be an increase of \$7.5 million (2.1%) compared to FY 2012 when the Governor's recommended supplemental appropriation is included.

### **General Fund Recommendations**

	<b>Estimated FY 2012</b>	<b>Gov Rec FY 2013</b>	<b>Gov Rec vs Est. FY 2012</b>
<b><u>Corrections, Dept. of</u></b>			
<b>Fort Madison</b>			
Ft. Madison Institution	\$ 41,031,283	\$ 42,686,899	\$ 1,655,616
<b>Anamosa</b>			
Anamosa Institution	\$ 31,985,974	\$ 32,760,186	\$ 774,212
<b>Oakdale</b>			
Oakdale Institution	\$ 55,594,426	\$ 57,950,613	\$ 2,356,187
<b>Newton</b>			
Newton Institution	\$ 25,958,757	\$ 27,127,290	\$ 1,168,533



	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Corrections, Dept. of - continued</u></b>			
<b>Mt Pleasant</b>			
Mt. Pleasant Inst.	\$ 25,917,815	\$ 26,751,707	\$ 833,892
<b>Rockwell City</b>			
Rockwell City Institution	\$ 9,316,466	\$ 9,584,151	\$ 267,685
<b>Clarinda</b>			
Clarinda Institution	\$ 24,639,518	\$ 25,054,229	\$ 414,711
<b>Mitchellville</b>			
Mitchellville Institution	\$ 15,615,374	\$ 16,124,759	\$ 509,385
<b>Fort Dodge</b>			
Ft. Dodge Institution	\$ 29,062,235	\$ 29,668,270	\$ 606,035
<b>Central Office</b>			
Corrections Administration	\$ 4,835,542	\$ 5,327,854	\$ 492,312
County Confinement	775,092	1,075,092	300,000
Federal Prisoners/Contractual	239,411	484,411	245,000
Corrections Education	2,308,109	2,308,109	0
Iowa Corrections Offender Network	424,364	424,364	0
Mental Health/Substance Abuse	22,319	22,319	0
Hepatitis Treatment And Education	167,881	167,881	0
<b>Total Central Office</b>	<u>\$ 8,772,718</u>	<u>\$ 9,810,030</u>	<u>\$ 1,037,312</u>
<b>CBC District 1</b>			
CBC District I	\$ 12,204,948	\$ 12,958,763	\$ 753,815
<b>CBC District 2</b>			
CBC District II	\$ 10,336,948	\$ 10,739,572	\$ 402,624
<b>CBC District 3</b>			
CBC District III	\$ 5,599,765	\$ 6,238,455	\$ 638,690
<b>CBC District 4</b>			
CBC District IV	\$ 5,391,355	\$ 5,469,811	\$ 78,456
<b>CBC District 5</b>			
CBC District V	\$ 18,742,129	\$ 19,220,091	\$ 477,962
<b>CBC District 6</b>			
CBC District VI	\$ 13,112,563	\$ 14,095,408	\$ 982,845
<b>CBC District 7</b>			
CBC District VII	\$ 6,492,814	\$ 6,895,634	\$ 402,820
<b>CBC District 8</b>			
CBC District VIII	<u>\$ 6,879,715</u>	<u>\$ 7,518,935</u>	<u>\$ 639,220</u>
<b>Total Corrections, Dept. of</b>	<u><u>\$ 346,654,803</u></u>	<u><u>\$ 360,654,803</u></u>	<u><u>\$ 14,000,000</u></u>

Significant changes include:

- A transfer of \$123,507 and 1.0 FTE position from the Clarinda Correctional Facility to the Iowa Medical and Classification Center at Oakdale Central Pharmacy. This recommendation has a net reduction of \$38,000 to the Clarinda budget.
- An increase of \$6.5 million to annualize the recommended FY 2012 supplemental appropriation. This recommendation is for five of the nine prisons, five of the eight CBC District Departments, Central Office, and State mandated Accounts for County Confinement and Federal Prisoners Reimbursement. The recommendation funds currently filled but unfunded critical staffing positions (\$5.9 million) and supplements the County Confinement and Federal Prisoners Reimbursement Accounts (\$545,000). The County Confinement Account is used to reimburse counties for holding alleged violators of conditions of parole, work release, or certain OWI offenders in county jail pending a revocation hearing. The Federal Prisoners Account reimburses the U.S. Bureau of Prisons for holding incorrigible Iowa prison inmates in federal prisons.
- An increase of \$7.7 million to maintain current critical staff in FY 2013.
- A decrease of \$171,000 at the Iowa State Penitentiary at Fort Madison to reflect the transfer of two program planners from the Institution's General Fund budget to Iowa State Industries' Revolving Fund. This budget recommendation reflects the transfer of administration of the Habitat for Humanity Program from the Institution to Iowa Prison Industries in FY 2012.

### Issues

**Recidivism** – Director Baldwin provided information from the Pew Center for the States that shows four of the 10 states with the greatest drop in crime were also among the top 10 states that lowered their incarceration rates. He also indicated that Iowa's prison incarceration rate is higher than its crime rate. He stated the challenge was to remain within appropriated resources while increasing public safety. The Department of Corrections (DOC) plans to reduce recidivism by concentrating on high-risk cases, using the validated risk assessment tool Level of Services Inventory-Revised. The DOC is providing opportunities for offender reentry into the community by collaborating with Iowa Workforce Development and the Departments of Human Services, Public Health, and Inspections and Appeals.

**FY 2012 Supplemental Appropriation** – *The Governor is recommending an FY 2012 General Fund supplemental appropriation of \$6.5 million for five of the nine prisons, five of the eight CBC District Departments, Central Office, and state mandated Accounts for County Confinement and Federal Prisoners Reimbursement. The recommendation funds currently filled but unfunded critical staffing positions (\$5.9 million) and supplements the County Confinement and Federal Prisoners Reimbursement Accounts (\$545,000). The County Confinement Account is used to reimburse counties for holding alleged violators of conditions of parole, work release, or certain OWI offenders in county jail pending a revocation hearing. The Federal Prisoners Account reimburses the U.S. Bureau of Prisons for holding incorrigible Iowa prison inmates in federal prisons.*

**Inmate Education** – The General Fund appropriation for inmate education peaked in FY 2001 at \$3.3 million. The FY 2012 General Fund appropriation is \$2.3 million, an increase of \$750,000 (48.1%) compared to FY 2011 but a decrease of \$1.0 million (30.3%) compared to FY 2001. Since FY 2001, the DOC has relied on other funding sources, such as carryover funding from the previous year's appropriation, Institution Canteen receipts, and the Telephone Rebate Fund to provide adult basic education, high school equivalency courses, and vocational courses through the community college system. Vocational education is provided primarily in conjunction with Prison Industries.

**Canteen Funds** – Senate File 510 (FY 2012 Justice System Appropriations Act) requires the DOC to transfer at least \$300,000 from the Canteen Funds to the Corrections Education Account. The Governor vetoed this requirement, stating there were insufficient funds to meet the transfer requirement. There is \$175,000 budgeted from the Canteen Funds for the FY 2012 education budget.

**Telephone Rebate Fund** – The DOC has been relying on the Telephone Rebate Fund to supplement the inmate education budget (\$450,000) and to fund victim services (\$99,000), translation services (\$1,000), Step Program (training materials related to borderline personality disorder - \$45,000), and inmate telephone administration (\$56,000). Receipts to the Fund have been declining. The amount budgeted for inmate education in FY 2012 may not be available in FY 2013. The DOC estimates an increase of \$250,000 in the General Fund appropriation for corrections education would maintain existing services. *The Governor is not recommending the replacement of the FY 2012 Telephone Rebate Fund allocation with an FY 2013 General Fund appropriation.*

**Staffing** – The DOC indicates its critical staffing needs at \$16.6 million and 277.6 FTE positions for the Institutions, CBCs, and Central Office. *The Governor is recommending an FY 2012 supplemental appropriation of \$5.9 million to fund 86.3 FTE positions that are currently filled but not funded. The Governor is recommending annualizing the \$5.9 million FY 2012 supplemental appropriation plus an additional \$7.7 million to maintain existing positions in FY 2013.*

**Correctional Officer Staffing** – Senate File 510 (Justice System Appropriations Act) provided an increase of \$2.1 million to fund 40.0 new correctional officer FTE positions as follows:

- 3.0 at the Director's discretion (assigned to Clarinda Correctional Facility).
- 17.0 at the Clarinda Correctional Facility.
- 20.0 at the Anamosa State Penitentiary.

The funding (\$1,048,000) for 20.0 new FTE positions at the Clarinda Correctional Facility will be used to maintain existing positions. The positions may be filled later in the fiscal year, if the budget permits it. The Anamosa State Penitentiary hired 5.0 new correctional officer FTE positions with its funding (\$1,048,000). The remaining funds (\$786,000) will be used to maintain existing positions. The positions may be filled later in the fiscal year, if the budget permits it.

**Operating Costs for New Beds** – The DOC estimates \$19.1 million and 277.4 FTE positions are needed for staffing new facilities in the CBC District Departments plus Mitchellville and Fort Madison. It is likely construction will be completed on all the CBC beds in FY 2012. *The Governor is not recommending any funds for these facilities in FY 2013.*

**Forensic Psychiatric Hospital** – The DOC indicates \$1.1 million and 18.0 FTE positions would address staffing issues of the Forensic Psychiatric Hospital at Oakdale. While patient count fluctuates daily, the trend is to use the beds for civilians rather than convicted offenders. *The Governor is not recommending any funds for the hospital.*

**Iowa Corrections Offender Network Audit** – The State Auditor's Office issued a report December 5, 2011, regarding the procurement process in State government. The audit was for the period July 1, 2007, through December 31, 2008. The audit focused on contracting controls and procedures. The report provides findings related to the procurement and ongoing development of the Iowa Corrections Offender Network (ICON) system.

The ICON system is an offender management suite of programs. The programs include 10 modules: offender case management, medical/mental health, View (intelligence system), dietary, commissary, grievance, pharmacy, banking, critical incident reporting, and OMail. Examples of what the programs do include facilitating the issuance of smart cards to inmates to make services more efficient and cost effective, streamlining collections from inmates for restitution, child support, DOC sanctions, and savings plans, and reducing paper in mailrooms and the DOC office. The ICON system continues to evolve and develop. Critical modules are implemented to benefit the DOC and the criminal justice community generally. For FY 2011, some of the development included a data exchange between the Criminal Justice Information System (CJIS) with the State sex offender registry, a CJIS Statewide crime code table to be used by the entire criminal justice community, and CJIS electronic presentence investigations.

The audit report indicates the DOC improperly referenced a master agreement to procure Information Technology (IT) services and no contract was established with the provider Automated Technologies Group (ATG). From FY 2000 through FY 2010, the DOC paid the provider \$22.0 million with no contract in place. The DOC entered into a contract with ATG in FY 2011. The report indicates the Auditor's Office does not understand why it took the DOC so long to have a valid contract in place. The DOC was initially scheduled to receive 50.0% of all licensing fees that ATG generated by selling software modules developed in conjunction with the DOC. Several payments were made to the DOC totaling \$3.6 million between FY 2003 and FY 2007. However, an amendment cancelling the DOC's rights to any licensing fees was signed on July 27, 2003. This cancellation resulted in the loss of potentially millions of dollars in receipts. The Director's explanation for cancellation of the licensing fee agreement could not be documented. Below are the State Auditor recommendations and the DOC's response.

- The DOC should work with the Attorney General's (AG) Office to decide if further review of the relationship between the DOC and ATG is warranted and take any corrective action if necessary. The Auditor also recommended that DOC procurement staff and purchasing agents should continue to receive training from the Department of Administrative Services (DAS) on documentation required for processing payments. The DOC indicated it would work with the AG's Office and the DAS on procurement activities and contracts. The DOC stated that the DAS has granted the Department advance procurement authority, and certain staff are either progressing towards or are certified in advanced procurement procedures. The Auditor accepted this response.
- The Auditor stated the DOC should ensure all future payments to ATG are based on negotiations for pricing that is verified to be fair and reasonable. The DOC indicated steps have been taken to improve documentation through the change order process. The Auditor's Office indicated that change orders are a good control procedure for contracting. However, it has not reviewed the change order process of the DOC.
- The Auditor recommended the DOC should determine if hiring staff, rather than contracting for IT services, would be financially beneficial. The DOC's response included a variety of indicators of cost avoidance, such as not building a prison, staff efficiencies, central pharmacy savings, telemedicine capability, and data sharing with the Department of Public Safety. Comparisons to other States' corrections IT costs were also made. No cost analysis of bringing the IT function in-house was provided. The Auditor's Office reiterated that this response does not address whether or not hiring IT staff would be financially beneficial.
- The Auditor recommended DAS should implement control procedures over service contracts for all State agencies to ensure compliance with purchasing requirements. The Auditor also recommended the DAS should review the DOC's procurement practices with other providers to determine if proper

procedures are being followed. The DOC indicated it would continue to work with the DAS. The Auditor accepted this response.

**Food, Fuel, and Pharmacy** – The DOC estimates an additional \$845,000 is needed for food, fuel, and pharmacy expenditures due to cost increases and serving additional offenders. *The Governor is not recommending any funds for these items.*

**Central Pharmacy** – The DOC began implementing a central pharmacy model in FY 2008 and hired a pharmacy director in FY 2009. There are two central pharmacies – Oakdale and Des Moines – and because of the ICON pharmacy software program, each can fill medication orders for any facility, providing redundancy in case of emergencies. The DOC costs for drugs and biologicals include both prescription and over-the-counter medications. The DOC costs have increased 67.1% from FY 2005 to FY 2010. However, costs for drugs and biologicals have decreased in FY 2009 (\$113,000), FY 2010 (\$1.2 million), and FY 2011 (\$632,000) primarily due to creating and adhering to a formulary (list of medication choices available to physicians) and implementing a centralized pharmacy.

The Des Moines Central Pharmacy is currently processing prescriptions for Newton, Mitchellville, Fort Dodge, Rockwell City, and Clarinda's DOC patients. Oakdale is processing themselves, Anamosa, and Fort Madison. Mount Pleasant still maintains a pharmacy on-site that processes both the DOC and Department of Human Services (DHS) patients. *The Governor is recommending the realignment of pharmacy staff by transferring \$123,000 and 1.0 FTE position from Clarinda to Oakdale. There would be a net savings of \$38,000 to the Clarinda budget.*

The five facilities served by the Des Moines Central Pharmacy all use the 30-day punch cards. Oakdale is changing their unit dose system from the old individually packaged medicines in carts with patient drawers to the 30-day punch cards. That process is about 50.0% complete through December 2011. The DOC is also moving forward with a plan to transition Mount Pleasant's DOC services to one of the two DOC locations. The private provider contract for pharmacy (Diamond Services) ended May 31, 2011.

The DOC is working on a pilot project from the AG's office related to provision of medications for offenders after release through the Iowa Prescription Drug Corporation's voucher program for indigent/low income patients. The goal of this program is to reduce recidivism, especially among offenders with mental health needs, by providing expanded medication coverage for them during the 30 to 90 days immediately after their release, until they can form a relationship with a provider in the community.

The DOC formulary is updated quarterly through its Formulary Review Committee. The process for reviewing nonformulary requests is still in place and is up to date. At this time, the DOC is not directly providing medicines for CBCs or jails, although there has been discussion at various times about this possibility in the future. Refer to the **Issue Review** [Department of Corrections Centralized Pharmacy](#) for additional information.

**County Confinement and Federal Prisoners Accounts** – The State reimburses counties for holding alleged violators of parole, work release, and OWI Third Offense conditions pending a revocation hearing. These reimbursements are through General Fund appropriations to the County Confinement Account. The State reimburses the U.S. Bureau of Prisons for holding certain Iowa offenders by General Fund appropriations to the Federal Prisoners Account. The DOC indicates an additional \$545,000 is needed to meet the projected expenditures of these reimbursements. *The Governor is recommending an FY 2012 supplemental appropriation of \$545,000 for the County Confinement Account (\$300,000) and Federal Prisoners Account (\$245,000). The Governor is recommending the FY 2012 supplemental appropriations be annualized in FY 2013.*

**Clarinda Mental Health Unit** – The DOC estimates an additional General fund appropriation of \$725,000 and 9.0 FTE positions would fund the operation of a small mental health unit for youthful violent offenders serving long mandatory minimum sentences. *The Governor is not recommending this proposal.*

**Substance Abuse Treatment Contracts** – The DOC estimates \$836,000 is needed to restore substance abuse treatment funding in the CBCs. These contracts have been reduced or eliminated due to budget reductions in previous fiscal years. *The Governor is not recommending this proposal.*

**Private Sector Employment of Inmates** – Iowa Prison Industries oversees the private sector employment of inmates as permitted in Iowa Code Section 904.809 and federal regulations. Currently four prisons have private sector employment of inmates:

- North Central Correctional Facility at Rockwell City has four employers.
- Newton Correctional Facility has two employers.
- Fort Dodge Correctional Facility has one employer.
- Clarinda Correctional Facility has one employer.

**Prison Population** – The [Criminal and Juvenile Justice Planning Division \(CJJPD\)](#) of the Department of Human Rights recently issued its 10-year prison population forecast. If policies and practices remain the same, the prison population is projected to reach approximately 11,330 inmates by June 30, 2021, an increase of 29.1% over the next 10 years.

By FY 2021 and without any additional prison beds, overcrowding is expected to reach 147.8% of design capacity. This figure is based on the assumption that the additional beds authorized during the 2008 Legislative Session for Fort Madison and Mitchellville will be operating by FY 2021. If the population reaches 11,330 inmates, three additional 800-bed prisons will need to be built, in addition to the expansions authorized at Fort Madison and Mitchellville. If three additional prisons are built over the next decade, projected design capacity will be 10,066 beds with a projected population of 11,330 offenders; the prison system would be operating at 112.6% of capacity. The cost of one 800-bed prison with a mix of medium and minimum custody levels is approximately \$85.0 million in construction costs; construction of three such prisons would be approximately \$255.0 million. Operating costs are estimated to be at least \$30.0 million annually per prison.

Refer to the CJJPD's full report "[Iowa Prison Population Forecast FY 2011 – 2021](#)" for additional information. For additional information regarding corrections capacity, see the LSA *Issue Review* titled "[Corrections Construction and Capacity](#)".

**Proposed Legislation** – The Board of Corrections approved the following proposed amendments to Iowa law:

- Grant access to confidential records to certain DOC and CBC staff.
- Increase the number of days from 15 to 35 for counties to bill the State for reimbursement for holding alleged violators of parole, work release, and OWI conditions in county jails. The proposal also requires the reimbursement request to be denied if not submitted within 35 days of the end of the calendar quarter.
- Increase the penalty from an aggravated misdemeanor to a Class D felony for certain people who engage in sexual misconduct with offenders and juveniles.

**Supreme Court Case** – In July 2011, the Iowa Supreme Court ruled in *Anderson vs. State of Iowa* that offenders revoked from probation to prison or jail are eligible for jail credit. Previous to this ruling, the



DOC granted credit for time served on parole, work release, and OWI, while in a residential facility or county jail. Under the Supreme Court ruling, the DOC now grants credit for time served on probation as well, if that probation results in a revocation to prison. The DOC staff recalculated discharge dates for 3,520 offenders, with the following results:

- 253 offenders were immediately discharged from prison.
- 33 offenders on work release or OWI convictions were immediately discharged.
- 265 offenders were immediately discharged from parole.
- 2,588 offenders had a change in their tentative discharge date, but were not immediately released.
- 320 offenders had no change in their tentative discharge date.
- 25 offenders that were discharged immediately absconded before they were notified. These offenders have discharged their sentence.
- 36 offenders absconded before the recalculation was completed. These offenders have not discharged their sentence. Their tentative discharge date will be recalculated when they return to custody.

The DOC indicates no sexually violent predators were released; but their tentative discharge date may have moved. The DOC will track the outcomes of offenders affected by the Supreme Court ruling. The DOC is not proposing any legislative changes due to the Supreme Court ruling.

### **Department of Inspections and Appeals – State Public Defender**

General Fund appropriations for the [Department of Inspections and Appeals](#) are the responsibility of the [Administration and Regulation Subcommittee](#), except for the State Public Defender's Office and indigent defense. The [State Public Defender's Office](#) administers local public defender offices; provides legal counsel to indigent convicted criminals on appeals and for postconviction relief proceedings; is responsible for indigent juvenile cases; and reviews all expense claim reimbursements from private attorneys for indigent defense cases. In FY 1988, the costs of providing legal counsel to indigent criminal defendants and juveniles (indigent defense) were transferred to the State as part of court reorganization. Before FY 1988, these costs were paid by the counties.

The Governor is recommending FY 2013 General Fund appropriations totaling \$55.8 million for the State Public Defender and Indigent Defense. This is no change compared to estimated FY 2012. The governor is recommending the transfer of \$779,000 from the Indigent Defense Fund to the State Public Defender's Office to maintain existing staff.

#### **General Fund Recommendations**

	<b>Estimated FY 2012</b>	<b>Gov Rec FY 2013</b>	<b>Gov Rec vs Est. FY 2012</b>
<b><u>Inspections &amp; Appeals, Dept. of</u></b>			
<b>Public Defender</b>			
Public Defender	\$ 25,083,182	\$ 25,862,182	\$ 779,000
Indigent Defense Appropriation	30,680,929	29,901,929	-779,000
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 55,764,111</b>	<b>\$ 55,764,111</b>	<b>\$ 0</b>

### Issues

**Governor's Budget Hearing** – State Public Defender Sam Langholz presented the FY 2013 budget. Mr. Langholz provided an overview of the Office structure, locations of local offices around the State, indigent defense spending (public defenders and private attorneys), and cost comparisons between public defenders and the private bar. The cost per case for public defenders is \$268 while the cost per claim for private attorneys is \$444.

In FY 2011, additional staff was added to existing offices and a new local office was opened in Ottumwa. This resulted in approximately \$599,000 in cost containment. Additional savings should occur in FY 2012, as the staff was not on board for a full year in FY 2011. Mr. Langholz indicated the following fiscal challenges:

- Lack of control over criminal and juvenile court filings and limited control over costs of representation.
- The Supreme Court case, *Simmons v. State Public Defender*, 791N.W.2d 69 (Iowa 2010), struck down flat fee contracts for appellate cases. This has increased costs for appeals because private attorneys are submitting itemized bills in excess of the original contract caps.
- The Supreme Court case, *State v. Dudley*, 766 N.W.2d 606 (Iowa 2009), made changes with respect to client notification of certain restitution obligations.
- The Supreme Court is changing its approach to appellate defender motions to withdraw for frivolous appeals. This will increase the workload of both the State Public Defender's Office and the Office of the Attorney General. The Governor indicated he may follow up with the Chief Justice of the Supreme Court.
- The Judicial Branch is implementing the Electronic Document Management System (EDMS). In the short term, this will impact the support budget for the State Public Defender's Office (shifting some work currently performed by the Clerk of Court offices to the State Public Defender). In the long term, there should be savings as the criminal court system becomes paperless.

Mr. Langholz outlined opportunities for cost savings including:

- Implementing an online indigent defense claim submission system. The Office is in the process of issuing a Request for Proposals (RFP).
- Increasing the use of specialized contracts with attorneys and other providers.
- Evaluating targeted expansions of local public defender offices.

**Proposed Legislation** – The State Public Defender's Office indicates it will file a legislative proposal to address the *Simmons* and *Dudley* Supreme Court cases, as well as statutory changes to enhance flexibility of the Office to improve efficiencies. Please review the [Report on Iowa's Indigent Defense System](#) submitted by the State Public Defender in December 2011.

### **Judicial Branch**

Iowa has a unified trial court system known as the Iowa District Court that has general jurisdiction over all civil, criminal, juvenile, and probate matters in the State. The Iowa District Court is composed of different kinds of judicial officers with varying amounts of jurisdiction including judicial magistrates, associate juvenile judges, associate probate judges, district associate judges, and district court judges. There are two appellate courts in Iowa's judicial system—the Iowa Supreme Court and the Iowa Court of Appeals. Seven justices sit on the Supreme Court and nine judges form the Court of Appeals.



For the [Judicial Branch](#), the Governor passed through the FY 2013 General Fund appropriation request totaling \$166.4 million. This includes a request of \$163.3 million for the operating budget and \$3.1 million for the Jury and Witness Fee Revolving Fund. This is an increase of \$10.0 million (6.4%) compared to estimated FY 2012.

### General Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Judicial Branch</u></b>			
<b>Judicial Branch</b>			
Judicial Branch	\$ 154,111,822	\$ 163,304,540	\$ 9,192,718
Jury & Witness	2,300,000	3,100,000	800,000
<b>Total Judicial Branch</b>	<b>\$ 156,411,822</b>	<b>\$ 166,404,540</b>	<b>\$ 9,992,718</b>

The Governor is recommending the following Judicial Branch requests for FY 2013:

- Base budget of \$154.1 million to restore the operating budget to the FY 2012 funding level and a base budget of \$2.3 million to restore the Jury and Witness Fee Revolving Fund to the FY 2012 funding level.
- An appropriation of \$2.2 million to restore 53.0 Clerk of Court FTE positions.
- An appropriation of \$2.5 million to restore 42 of the 180 positions that were eliminated due to the 7.1% across the board reduction of \$11.4 million in FY 2010.
- An appropriation of \$4.5 million for eight additional Information Technology staff to implement the EDMS allowing the Judicial Branch to switch from a paper-based environment to an electronic-based environment and to pay for basic, on-going Iowa Court Information System operations from the General Fund rather than the Enhanced Court Technology and Modernization Fund.
- An increase of \$800,000 for the Jury and Witness Fee Revolving Fund due to the change in the deposit of two-year old court debt and the expenditure of the remaining excess carry forward in the Fund.

### Electronic Document Management System Update

- **Plymouth County**  
Plymouth County pilot project of the EDMS is complete. The pilot began on January 4, 2010. However, minor technical problems during the first week required a temporary suspension of the pilot project. These issues were resolved and the pilot resumed on February 22. All cases initiated in Plymouth County since January 1, 2010, are electronic and additional filings are being handled electronically. As of November 23, 2011, 10,687 total cases had been electronically filed or converted to an electronic case through the E-File portal, and 74,493 documents were stored in EDMS for Plymouth County.
- **Story County**  
The Judicial Branch expanded the pilot of EDMS to Story County in November 2010 for civil filings and June 2011 for criminal filings. All cases initiated in Story County since June 1, 2011,

are electronic and additional filings are being handled electronically. As of November 23, 2011, 20,852 total cases had been electronically filed or converted to an electronic case through the E-File portal, and 113,204 documents were stored in EDMS for Story County. The pilot in Story is essentially complete with some adjustments being made as more cases are filed and the system is monitored and adjusted for efficiencies.

- **Sioux County**

The Judicial Branch implemented EDMS in Sioux County on July 25, 2011, for all case filings. All cases initiated in Sioux County since July 25, 2011, are electronic and additional filings are being handled electronically. As of November 23, 2011, 4,570 total cases had been electronically filed or converted to an electronic case through the E-File portal, and 13,837 documents were stored in EDMS for Sioux County.

- **Woodbury County**

The Judicial Branch implemented EDMS in Woodbury County on November 1, 2011, for civil filings (except juvenile cases). All civil cases initiated in Woodbury County since November 23, 2011, are electronic and additional filings are being handled electronically. As of November 23, 2011, 3,248 total cases had been electronically filed or converted to an electronic case through the E-File portal, and 15,513 documents were stored in EDMS for Woodbury County. Woodbury County juvenile and criminal filings will be brought online on January 24, 2012.

- **Appellate Courts**

The design and development of EDMS for the Appellate courts has been delayed due to the time taken to complete pilots and adjust the product for further efficiencies for users inside and outside the Court System. The Appellate development and pilot are planned for the first half of calendar year 2012.

### **Law Enforcement Academy**

The [Iowa Law Enforcement Academy](#) (ILEA) provides training for law enforcement officers, jailers, and telecommunicators in the State. The Academy also administers a program of psychological testing for applicants for law enforcement positions, approves regional training programs, establishes hiring standards for peace officers, and provides audio-visual resources for law enforcement training and educational institutions.

The Governor is recommending an FY 2013 General Fund appropriation of \$969,000. This is an increase of \$100,000 (11.5%) compared to estimated FY 2012 to offset the decline in basic enrollments from local governments.

#### **General Fund Recommendations**

	<b><u>Estimated FY 2012</u></b>	<b><u>Gov Rec FY 2013</u></b>	<b><u>Gov Rec vs Est. FY 2012</u></b>
<b><u>Law Enforcement Academy</u></b>			
<b>Law Enforcement Academy</b>			
Law Enforcement Academy	\$ 868,698	\$ 968,698	\$ 100,000
<b>Total Law Enforcement Academy</b>	<u>\$ 868,698</u>	<u>\$ 968,698</u>	<u>\$ 100,000</u>

## Issues

**Law Enforcement Academy Billings** – In FY 2012, the total cost to attend the 14-week Basic Academy is \$7,506 per person and the Academy will bill approximately two-thirds (\$5,000) to the law enforcement agency. The rate for FY 2013 will be set at the April 2012 Academy Council meeting. The Departments of Transportation and Natural Resources are billed the full amount (\$7,506) to attend.

**FY 2011 Appropriation Transfer** – The Iowa Law Enforcement Academy received an appropriation transfer totaling \$105,000 from the Department of Inspections and Appeals, Indigent Defense Fund. The funds were needed due to a reduction in attendance by local law enforcement agencies in FY 2011, with a corresponding decrease in receipts. Also, there was a delay in receiving approximately \$20,000 in payments until October, after the books closed. The Academy reverted \$73,996 (70.5%) of the \$105,000 due to cost savings measures implemented within the Academy and the receipt of delayed payments.

**FY 2012 Budget Issues** – In FY 2011, 160 students attended the ILEA Academy. For FY 2012, the Academy is anticipating 151 students. The decline in students is estimated to result in a reduction in revenue of approximately \$40,000. To address the potential reduction in revenues, the Academy has taken the following action:

- Reviewed communication and phone lines
- Using E85 in vehicles
- May not purchase ammunition for this upcoming year
- Maintaining three vacant FTE positions

*The Governor is recommending an increase of \$100,000 to offset the decline in basic enrollments from local governments.*

## **Board of Parole**

The [Board of Parole's](#) mission is to reintegrate offenders into the community. There are offenders that the Board has determined can be released from prison without detriment to the public or themselves. The Board performs risk evaluations for inmates, reviews eligible parole cases, holds parole hearings for eligible inmates, and selects inmates for conditional release on parole and work release. The Board revokes conditional releases and returns to prison those offenders that have failed. The Board also notifies victims of relevant information before a parole hearing, and advises the Governor on matters of executive clemency. For more information regarding the duties and workload, see the *Fiscal Topic*, "[Board of Parole](#)."

The Governor is recommending an FY 2013 General Fund appropriation of \$1.2 million. This is an increase of \$150,000 (14.2%) compared to estimated FY 2012. The increase funds the costs of adding an Administrative Law Judge (ALJ) pursuant to a ruling by the Public Employees Relations Board (PERB).

## General Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Parole, Board of</u></b>			
<b>Parole Board</b>			
Parole Board	\$ 1,053,835	\$ 1,203,835	\$ 150,000
<b>Total Parole, Board of</b>	<u>\$ 1,053,835</u>	<u>\$ 1,203,835</u>	<u>\$ 150,000</u>

## Issues

**FY 2012 Budget** – Board Chair Elizabeth Robinson indicates:

- The Board is conducting a cost analysis of implementing a paperless system. The Iowa Board of Parole has also requested from the Attorney General's office a written opinion for legal advice on any potential major changes.
- Board members would need secure internet connections to vote on Parole Board decisions from mobile devices.
- The cost analysis will include scanning confidential files onto a secure network.

The Board had significant turnover in membership over the last three years. New members are scheduled to receive training in March, as well as ongoing on the job training. Parole grants from prison increased by 4.7% from FY 2010 to FY 2011. The Board is not requesting an increase for its operating budget in FY 2013. The Board may request additional funds to implement its paperless system, depending on the outcomes of the cost analysis.

**Public Employees Relations Board Ruling** – The DOC and American Federation of State, County, and Municipal Employees were sued by 27 former supervisors and one former staff of the Board of Parole regarding the loss of bumping rights in a lay off that occurred in 2010. The PERB ruled against the State. The DOC worked with the 18 successful claimants (17 from DOC and one from the Board of Parole) to discuss their options. In December 2011, financial settlements were made with 12 people; total costs were approximately \$469,000. There are six cases pending.

The DOC and Board of Parole have used the current FY 2012 operating budgets to fund the financial settlements. The DOC plans to file a claim with the State Appeals Board for any costs related to previous fiscal years. If successful, the FY 2012 budgets would be reimbursed for costs related to FY 2010 and FY 2011.

One claimant opted to return to employment with the Board of Parole as an Administrative Law Judge (ALJ). The Board is budgeted for one ALJ but now has two. One employee is currently deployed with the military and the other returned due to the PERB decision. The Board of Parole's budget for FY 2013 is at a projected deficit given current funding and staffing. *The Governor is recommending an increase of \$150,000 to fund the ALJ position and support costs.*

### **Department of Public Defense**

Two Divisions make up the [Department of Public Defense](#). The Military Division (Iowa National Guard) provides units and equipment to protect life and property, to preserve peace and order, and to ensure public safety for the citizens of Iowa. The Homeland Security and Emergency Management Division manages risks and hazards with local and federal entities through mitigation, preparedness, response, and recovery initiatives.

The Governor is recommending FY 2013 General Fund appropriations totaling \$7.5 million. This is an increase of \$148,000 (2.7%) compared to estimated FY 2012 for the Deputy Adjutant General Army position.

#### **General Fund Recommendations**

	<u>Estimated FY 2012</u>	<u>Gov Rec FY 2013</u>	<u>Gov Rec vs Est. FY 2012</u>
<b><u>Public Defense, Dept. of</u></b>			
<b>Public Defense, Dept. of</b>			
Public Defense, Department of	\$ 5,527,042	\$ 5,675,042	\$ 148,000
<b>Emergency Management Division</b>			
Homeland Security & Emer. Mgmt.	\$ 1,836,877	\$ 1,836,877	\$ 0
<b>Total Public Defense, Dept. of</b>	<u>\$ 7,363,919</u>	<u>\$ 7,511,919</u>	<u>\$ 148,000</u>

#### **Issues**

**Tuition Assistance** – Due to a reduction in deployments as a result of the withdrawal of U.S. troops from Iraq, the National Guard is anticipating an increased need for tuition assistance through the College Student Aid Commission. The Guard is estimating that approximately \$5.2 million would be needed for 1,500 unduplicated students or 2,400 semester awards. *The Governor is recommending \$5.2 million for this Program in order to reach 100.0% reimbursement level. This appropriation is part of the Education Appropriations Subcommittee budget.*

### **Department of Public Safety**

The [Department of Public Safety](#) (DPS) is the State law enforcement agency. The Department includes: Administrative Services Division, Division of Criminal Investigation (DCI), Division of Narcotics Enforcement, Fire Marshal's Office, and the State Patrol Division.

The Governor is recommending FY 2013 General Fund appropriations totaling \$80.6 million. This is no change compared to estimated FY 2012.

## General Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Public Safety, Department of</u></b>			
<b>Public Safety, Dept. of</b>			
Public Safety Administration	\$ 4,007,075	\$ 4,007,075	\$ 0
Public Safety DCI	12,533,931	12,533,931	0
DCI - Crime Lab Equipment/Training	302,345	302,345	0
Narcotics Enforcement	6,429,884	6,429,884	0
Public Safety Undercover Funds	109,042	109,042	0
DPS Fire Marshal	4,298,707	4,298,707	0
Iowa State Patrol	51,903,233	51,903,233	0
DPS/SPOC Sick Leave Payout	279,517	279,517	0
Fire Fighter Training	725,520	725,520	0
<b>Total Public Safety, Department of</b>	<b>\$ 80,589,254</b>	<b>\$ 80,589,254</b>	<b>\$ 0</b>

## Other Fund Recommendations

	Estimated FY 2012	Gov Rec FY 2013	Gov Rec vs Est. FY 2012
<b><u>Public Safety, Department of</u></b>			
<b>Public Safety, Dept. of</b>			
DPS Gaming Enforcement	\$ 10,335,709	\$ 10,335,709	\$ 0
<b>Total Public Safety, Department of</b>	<b>\$ 10,335,709</b>	<b>\$ 10,335,709</b>	<b>\$ 0</b>

## Issues

**Sex Offender Registry Compliance and Loss of Federal Funds** – Due to not being in compliance with the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248), Iowa will lose approximately \$200,000 (or 10.0%) in Byrne Justice Assistance Grants funding for FFY 2012. This will primarily impact the Office of Drug Control Policy and the pass-through funds available to local law enforcement.

The US Department of Justice has announced a reallocation program for states that are not in compliance with the Act. States can reapply for the money they are set to lose. However, if a reallocation is awarded, the funds can only be used for Sex Offender Registry enhancements and improvements. If Iowa receives a reallocation amount, the DPS proposes to use some of the money to update the criminal history database and the remainder of the money would be used to purchase computers and electronic signature pads for Sheriffs' offices who are in need of new computers to be used to register offenders on the State database. The Department stated it will be late January before the reallocation request is approved or denied.

**Gaming Enforcement Fund** – The Gaming Enforcement Revolving Fund under the control of the DPS was created for the collection of fees for direct and indirect costs paid by licensees for the regulation of boats and racetracks by the DCI. The DCI no longer receives a General Fund appropriation for gaming enforcement but instead receives an appropriation from the Gaming Enforcement Fund. The appropriation from the Fund is currently capped at \$10.3 million and 120.0 FTE positions. If the General Assembly chooses, the appropriation may be adjusted to reflect any future changes for direct and indirect costs, such as supplies, equipment, fuel, and costs associated with support personnel. Any adjustment to the appropriation permits the DPS the ability to bill the gaming industry and retain the receipts. The Justice System Appropriations Subcommittee may want to review the appropriation annually.

Iowa Code Sections 99D.14 and 99F.10 require the Racing and Gaming Commission to bill the gaming industry for the direct and indirect costs associated with the Department of Public Safety providing enforcement at State licensed gaming facilities. The fees collected for the indirect costs are related to the support costs that are provided by the Department of Public Safety's divisions funded with General Fund appropriations. *The Governor is recommending a revised General Fund revenue increase of \$2.0 million in FY 2012 to reflect the transfer of fees from the Gaming Enforcement Fund. This captures the indirect cost reimbursement from the gaming industry for gaming enforcement activities administered by the Department of Public Safety. The Governor is recommending a \$1.1 million General Fund revenue increase for FY 2013.*

**Iowa State Patrol Vehicles** – For FY 2012, the Department ordered a total of 75 vehicles (25 2011 Dodge Chargers and 50 2012 Dodge Chargers) purchased with FY 2011 funds. The delivery was staggered, with the Department receiving approximately 10 cars per month, and all being received by January 2012. The Department's goal is to replace cars on a three-year cycle, maintaining the mileage below 100,000 miles per car. However, due to budget reductions, mileage is closer to 130,000 per car and the replacement cycle is closer to a four-year cycle. The Department also purchased four Chevrolet Tahoes which will be used by troopers assigned to the K-9 unit. (There are four dogs assigned to the Iowa State Patrol and trained in detecting controlled substances.) The vehicle order of approximately 100 vehicles for FY 2012 will be placed later this Spring with a staggered delivery date. Of the 387 vehicles, 150 (38.8%) are below 70,000 miles.

As of November 2011:

Vehicles in excess of 100,000 miles = 114

Vehicles in excess of 90,000 miles = 57

Vehicles in excess of 80,000 miles = 38

Vehicles in excess of 70,000 miles = 28

Total = 237

**Peace Officers Retirement Fund 2.0% Contribution Rate Increase** – The State contribution rate for the Peace Officer's Retirement Fund will increase from 25.0% to 27.0% for FY 2013. These increases are funded through the Salary Adjustment Act. In years when there is no salary adjustment, the Department has to absorb the cost increase within the operating budget. The increase is approximately \$882,800 compared to estimated FY 2012. The following is the increase by Division:

- Division of Criminal Investigation - \$88,583
- Narcotics Enforcement - \$84,641
- Fire Marshal's Office - \$43,157
- Iowa State Patrol - \$529,024
- Gaming Enforcement Fund Special Agents - \$137,393

*The Governor is not recommending the funding of salary adjustment for FY 2013.*



**Merging DOT Motor Vehicle Enforcement officers with the Department of Public Safety** – During the 2011 Interim, the DOT announced it was exploring a proposal to merge the Department's motor vehicle enforcement duties and up to 106 DOT Motor Vehicle Enforcement (MVE) officers with the Iowa State Patrol in the Department of Public Safety (DPS). The primary duties of the MVE officers are to enforce weight requirements, equipment safety and other laws pertaining to the commercial trucking industry operating on highways in the State. In contrast, the Iowa State Patrol enforces overall traffic laws and assists in general law enforcement roles. An example of a potential impact that needs to be considered moving forward is the effect on the Iowa Law Enforcement Academy (ILEA) budget if they do not train MVE officers. On average, the DOT pays the ILEA \$75,000 a year for MVE officer training. In December 2011, the DPS and the DOT submitted a memo to the General Assembly outlining the planning stages of a possible merger that highlighted integration of traffic engineering and law enforcement activities while maintaining respective departmental authority. The memo stated that \$5.3 million from the General Fund would be needed to complete the merger. Further, the memo specified that the Departments would recommend movement of the MVE officers to DPS during the 2013 Legislative Session. The LSA will continue to monitor the issue and provide updates during the 2012 Legislative Session.

**Narrowband Mandate and State Agency Communications Systems** – The Federal Communications Commission mandated that all nonfederal public safety license holders on frequencies ranging from 150-512 MHz reduce their operating bandwidth from 25 kHz to 12.5 kHz narrowband channels and update their operating licenses by January 1, 2013. Failure to do so may result in the loss of communication capabilities and fines. Most State public safety radio systems use 25.0 kHz channels. Narrowbanding to 12.5 kHz will affect radio and pager coverage. Agencies that narrowband in analog will have further reductions of coverage. The mandate affects several agencies, including the Departments of Public Safety, Transportation, Natural Resources, Public Health, Agriculture and Land Stewardship, and Corrections.

The Departments of Public Health and Agriculture and Land Stewardship reported that their radios have been narrowbanded. The DOT has begun the process of upgrading their radios using funds from the Road Use Tax Fund and the Primary Road Fund, via the Material and Equipment Revolving Fund (established in [Iowa Code section 307.47](#)). The Department of Natural Resources (DNR) received authorization in SF 509 (FY 2012 Agriculture and Natural Resources Appropriations Act) to use unappropriated funds in the Fish and Game Protection Fund to purchase the radios. As of December 2011, the DNR has issued an RFP for that effort. In HF 648 (FY 2012 Infrastructure Appropriations Act), the DPS received \$2.5 million annually from the Technology Reinvestment Fund for FY 2012 through FY 2014 to work toward achieving compliance and upgrading their radio equipment and work toward a goal of interoperability. The DPS is purchasing radios through an existing State Master Agreement established through the Department of Administrative Services. The Department of Corrections (DOC) did not receive funding for upgrades in FY 2012, but will require funding for upgrades in order to meet the mandate.

Per HF 648, the DPS is required to report on the status of efforts and estimated needs and costs for DPS, DOC, and DNR to meet the federal narrowbanding mandate. The report is due to the Legislative Services Agency and Department of Management by January 13, 2012.

*The Governor is recommending \$3.5 million from the RIIF to the Department of Corrections for FY 2013 for purposes of complying with the mandate. In addition, the previously enacted appropriations for radio communications upgrades for the Department of Public Safety for FY 2013 and FY 2014 from the Technology Reinvestment Fund are maintained.*



## INTERIM COMMITTEES, MEETINGS, AND PUBLICATIONS

### **Inmate Geriatric and Psychiatric Patients Study Committee**

The [Inmate Geriatric and Psychiatric Patients Study Committee](#) met at the Iowa Medical Classification Center (IMCC) at Oakdale on September 28 and in Des Moines November 30, 2011, and January 12, 2012. Committee members and staff toured the forensic hospital and medical services area of the IMCC. Iowa is the only state that houses its forensic hospital in a prison setting. Information and testimony included:

- The Directors of the Departments of Human Services and Corrections presented information and responded to questions regarding mental health issues and treatment, as well as security and funding.
- Dr. Deol, Medical Director of the DOC, presented information concerning the medical and mental health trends in the corrections system.
- Board of Parole Chair Elizabeth Robinson and Vice Chair Doris Kelley provided input via the Iowa Communications Network. Eligibility of any proposed medical parole was discussed.
- DOC Director John Baldwin presented the Department's report for treatment options for geriatric and psychiatric patients.
- Director Baldwin also provided information regarding cost comparisons of nursing homes and gero-psychiatric care, care provided by the University of Iowa Hospitals and Clinics, and the forensic hospital at Oakdale.
- Director Baldwin also provided an overview of the DOC's interaction with the Board of Parole, data exchanges, and release recommendations.

Other presentations included:

- Superintendent Mark Lund presented an overview of the Clarinda Treatment Complex, concentrating on services provided by the Department of Human Services. Space is available to house more gero-psychiatric patients, but additional funds are required.
- State Medicaid Director Jennifer Vermeer and Division Administrator Rick Shults presented information regarding federal Medicaid requirements. Generally, the recipient must be at least 65 years of age and on probation or parole to receive Medicaid.
- Superintendent Jason Smith provided a synopsis of treatment profiles for civilly committed sex offenders.
- Board of Parole Chair Elizabeth Robinson explained the Board's risk assessment tool, as well as information considered for granting a release from prison.

### **Criminal and Juvenile Justice Planning Division**

The [Criminal and Juvenile Justice Planning Division](#) of the Department of Human Rights staffs several committees and issues research reports on topics of interest to the justice system. Reports issued by CJJPD include research on both the adult and juvenile justice systems. Reports can be accessed at: <http://www.humanrights.iowa.gov/cjjp/publications/index.html>. The CJJPD provides [Prison Population Forecasts](#), [recidivism studies](#), [reports on sex offenders](#), [violent offender reports](#), and other documents. Additional information is available on the [CJJP website](#).

### **LSA Publications**

The following documents have been published by the LSA that relate to the Justice System Appropriations Subcommittee:

- *Issue Review:* [Corrections Construction and Capacity](#)
- *Fiscal Topic:* [Budget Unit: Department of Public Defense Military Division](#)
- *Fiscal Topic:* [Budget Unit: Homeland Security and Emergency Management Division](#)
- *Fiscal Topic:* [Community-Based Corrections](#)
- *Fiscal Topic:* [Budget Unit: Department of Public Safety Administrative Services Division](#)
- *Fiscal Topic:* [Budget Unit: State Police Officers Council Sick Leave Payout](#)
- *Fiscal Topic:* [Judgeships](#)
- *Fiscal Topic:* [Budget Unit: Legal Services Poverty Grants](#)
- *Fiscal Topic:* [Department of Corrections: State Criminal Alien Assistance Program](#)
- *Fiscal Topic:* [Budget Unit: Iowa State Patrol](#)
- *Fiscal Topic:* [Budget Unit: Undercover Funds](#)
- *Fiscal Topic:* [Budget Unit: Office of the Consumer Advocate](#)
- *Fiscal Topic:* [Budget Unit: Iowa Civil Rights Commission](#)
- *Fiscal Topic:* [Budget Unit: Board of Parole](#)
- *Fiscal Topic:* [Budget Unit: Office of the Attorney General](#)
- *Fiscal Topic:* [Budget Unit: Division of Criminal Investigation](#)
- *Fiscal Topic:* [Budget Unit: Iowa Law Enforcement Academy](#)
- *Fiscal Topic:* [Budget Unit: Iowa State Patrol](#)
- *Fiscal Topic:* [Budget Unit: State Fire Marshal's Office](#)
- *Fiscal Topic:* [Community-Based Corrections Residential Facilities](#)
- *Fiscal Topic:* [Department of Corrections Training](#)

Staff Contacts: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)  
Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

# **Appendix A**

## **General Fund Tracking**



## Justice System General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	Gov Rec Adjust. FY 2013 (4)	Total Gov Rec FY 2013 (5)	Total Gov Rec vs Est FY 2012 (6)	Percent Change (7)
<b><u>Justice, Department of</u></b>							
Justice, Dept. of							
General Office A.G.	\$ 7,782,682	\$ 7,792,930	\$ 3,896,465	\$ 3,896,465	\$ 7,792,930	\$ 0	0.0%
Victim Assistance Grants	3,060,000	2,876,400	1,438,200	1,438,200	2,876,400	0	0.0%
Legal Services Poverty Grants	1,930,671	1,814,831	907,416	907,415	1,814,831	0	0.0%
<b>Total Justice, Department of</b>	<b>\$ 12,773,353</b>	<b>\$ 12,484,161</b>	<b>\$ 6,242,081</b>	<b>\$ 6,242,080</b>	<b>\$ 12,484,161</b>	<b>\$ 0</b>	<b>0.0%</b>
<b><u>Civil Rights Commission</u></b>							
Civil Rights Commission							
Civil Rights Commission	\$ 1,334,589	\$ 1,297,069	\$ 648,534	\$ 648,535	\$ 1,297,069	\$ 0	0.0%
<b>Total Civil Rights Commission</b>	<b>\$ 1,334,589</b>	<b>\$ 1,297,069</b>	<b>\$ 648,534</b>	<b>\$ 648,535</b>	<b>\$ 1,297,069</b>	<b>\$ 0</b>	<b>0.0%</b>
<b><u>Corrections, Dept. of</u></b>							
Fort Madison							
Ft. Madison Institution	\$ 38,453,601	\$ 41,031,283	\$ 20,515,641	\$ 22,171,258	\$ 42,686,899	\$ 1,655,616	4.0%
Anamosa							
Anamosa Institution	\$ 29,563,854	\$ 31,985,974	\$ 15,992,987	\$ 16,767,199	\$ 32,760,186	\$ 774,212	2.4%
Oakdale							
Oakdale Institution	\$ 55,000,040	\$ 55,594,426	\$ 27,797,213	\$ 30,153,400	\$ 57,950,613	\$ 2,356,187	4.2%
Newton							
Newton Institution	\$ 25,700,753	\$ 25,958,757	\$ 12,979,379	\$ 14,147,911	\$ 27,127,290	\$ 1,168,533	4.5%
Mt Pleasant							
Mt. Pleasant Inst.	\$ 25,551,510	\$ 25,917,815	\$ 12,958,908	\$ 13,792,799	\$ 26,751,707	\$ 833,892	3.2%
Rockwell City							
Rockwell City Institution	\$ 9,078,666	\$ 9,316,466	\$ 4,658,233	\$ 4,925,918	\$ 9,584,151	\$ 267,685	2.9%
Clarinda							
Clarinda Institution	\$ 23,016,294	\$ 24,639,518	\$ 12,241,178	\$ 12,813,051	\$ 25,054,229	\$ 414,711	1.7%
Mitchellville							
Mitchellville Institution	\$ 15,283,848	\$ 15,615,374	\$ 7,807,687	\$ 8,317,072	\$ 16,124,759	\$ 509,385	3.3%
Fort Dodge							
Ft. Dodge Institution	\$ 28,310,185	\$ 29,062,235	\$ 14,531,118	\$ 15,137,152	\$ 29,668,270	\$ 606,035	2.1%

# Justice System

## General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	Gov Rec Adjust. FY 2013 (4)	Total Gov Rec FY 2013 (5)	Total Gov Rec vs Est FY 2012 (6)	Percent Change (7)
<b>Central Office</b>							
Corrections Administration	\$ 4,237,054	\$ 4,835,542	\$ 2,417,771	\$ 2,910,083	\$ 5,327,854	\$ 492,312	10.2%
County Confinement	775,092	775,092	387,546	687,546	1,075,092	300,000	38.7%
Federal Prisoners/Contractual	239,411	239,411	119,706	364,705	484,411	245,000	102.3%
Corrections Education	1,558,109	2,308,109	1,154,055	1,154,054	2,308,109	0	0.0%
Iowa Corrections Offender Network	424,364	424,364	212,182	212,182	424,364	0	0.0%
Mental Health/Substance Abuse	22,319	22,319	11,160	11,159	22,319	0	0.0%
Hepatitis Treatment And Education	167,881	167,881	83,941	83,940	167,881	0	0.0%
New Correctional Officers	0	0	78,581	-78,581	0	0	--
<b>Total Central Office</b>	<b>\$ 7,424,230</b>	<b>\$ 8,772,718</b>	<b>\$ 4,464,942</b>	<b>\$ 5,345,088</b>	<b>\$ 9,810,030</b>	<b>\$ 1,037,312</b>	<b>11.8%</b>
<b>CBC District 1</b>							
CBC District I	\$ 11,920,098	\$ 12,204,948	\$ 6,102,474	\$ 6,856,289	\$ 12,958,763	\$ 753,815	6.2%
<b>CBC District 2</b>							
CBC District II	\$ 10,336,948	\$ 10,336,948	\$ 5,168,474	\$ 5,571,098	\$ 10,739,572	\$ 402,624	3.9%
<b>CBC District 3</b>							
CBC District III	\$ 5,501,879	\$ 5,599,765	\$ 2,799,883	\$ 3,438,572	\$ 6,238,455	\$ 638,690	11.4%
<b>CBC District 4</b>							
CBC District IV	\$ 5,391,355	\$ 5,391,355	\$ 2,695,678	\$ 2,774,133	\$ 5,469,811	\$ 78,456	1.5%
<b>CBC District 5</b>							
CBC District V	\$ 18,407,129	\$ 18,742,129	\$ 9,371,065	\$ 9,849,026	\$ 19,220,091	\$ 477,962	2.6%
<b>CBC District 6</b>							
CBC District VI	\$ 12,709,753	\$ 13,112,563	\$ 6,556,282	\$ 7,539,126	\$ 14,095,408	\$ 982,845	7.5%
<b>CBC District 7</b>							
CBC District VII	\$ 6,492,814	\$ 6,492,814	\$ 3,246,407	\$ 3,649,227	\$ 6,895,634	\$ 402,820	6.2%
<b>CBC District 8</b>							
CBC District VIII	\$ 6,731,055	\$ 6,879,715	\$ 3,439,858	\$ 4,079,077	\$ 7,518,935	\$ 639,220	9.3%
<b>Total Corrections, Dept. of</b>	<b>\$ 334,874,012</b>	<b>\$ 346,654,803</b>	<b>\$ 173,327,407</b>	<b>\$ 187,327,396</b>	<b>\$ 360,654,803</b>	<b>\$ 14,000,000</b>	<b>4.0%</b>
<b><u>Inspections &amp; Appeals, Dept. of</u></b>							
<b>Public Defender</b>							
Public Defender	\$ 24,083,182	\$ 25,083,182	\$ 12,541,591	\$ 13,320,591	\$ 25,862,182	\$ 779,000	3.1%
Indigent Defense Appropriation	31,680,929	30,680,929	15,340,464	14,561,465	29,901,929	-779,000	-2.5%
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 55,764,111</b>	<b>\$ 55,764,111</b>	<b>\$ 27,882,055</b>	<b>\$ 27,882,056</b>	<b>\$ 55,764,111</b>	<b>\$ 0</b>	<b>0.0%</b>

# Justice System

## General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	Gov Rec Adjust. FY 2013 (4)	Total Gov Rec FY 2013 (5)	Total Gov Rec vs Est FY 2012 (6)	Percent Change (7)
<b><u>Judicial Branch</u></b>							
Judicial Branch							
Judicial Branch	\$ 148,811,822	\$ 154,111,822	\$ 77,055,911	\$ 86,248,629	\$ 163,304,540	\$ 9,192,718	6.0%
Jury & Witness	1,500,000	2,300,000	1,150,000	1,950,000	3,100,000	800,000	34.8%
<b>Total Judicial Branch</b>	<b>\$ 150,311,822</b>	<b>\$ 156,411,822</b>	<b>\$ 78,205,911</b>	<b>\$ 88,198,629</b>	<b>\$ 166,404,540</b>	<b>\$ 9,992,718</b>	<b>6.4%</b>
<b><u>Law Enforcement Academy</u></b>							
Law Enforcement Academy							
Law Enforcement Academy	\$ 840,667	\$ 868,698	\$ 434,349	\$ 534,349	\$ 968,698	\$ 100,000	11.5%
<b>Total Law Enforcement Academy</b>	<b>\$ 840,667</b>	<b>\$ 868,698</b>	<b>\$ 434,349</b>	<b>\$ 534,349</b>	<b>\$ 968,698</b>	<b>\$ 100,000</b>	<b>11.5%</b>
<b><u>Parole, Board of</u></b>							
Parole Board							
Parole Board	\$ 969,043	\$ 1,053,835	\$ 526,918	\$ 676,917	\$ 1,203,835	\$ 150,000	14.2%
<b>Total Parole, Board of</b>	<b>\$ 969,043</b>	<b>\$ 1,053,835</b>	<b>\$ 526,918</b>	<b>\$ 676,917</b>	<b>\$ 1,203,835</b>	<b>\$ 150,000</b>	<b>14.2%</b>
<b><u>Public Defense, Dept. of</u></b>							
Public Defense, Dept. of							
Public Defense, Department of	\$ 5,879,832	\$ 5,527,042	\$ 2,763,521	\$ 2,911,521	\$ 5,675,042	\$ 148,000	2.7%
Emergency Management Division							
Homeland Security & Emer. Mgmt.	\$ 1,940,548	\$ 1,836,877	\$ 918,439	\$ 918,438	\$ 1,836,877	\$ 0	0.0%
<b>Total Public Defense, Dept. of</b>	<b>\$ 7,820,380</b>	<b>\$ 7,363,919</b>	<b>\$ 3,681,960</b>	<b>\$ 3,829,959</b>	<b>\$ 7,511,919</b>	<b>\$ 148,000</b>	<b>2.0%</b>

## Justice System General Fund

	Actual FY 2011	Estimated FY 2012	Enacted FY 2013	Gov Rec Adjust. FY 2013	Total Gov Rec FY 2013	Total Gov Rec vs Est FY 2012	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b><u>Public Safety, Department of</u></b>							
Public Safety, Dept. of							
Public Safety Administration	\$ 4,007,075	\$ 4,007,075	\$ 2,003,538	\$ 2,003,537	\$ 4,007,075	\$ 0	0.0%
Public Safety DCI	12,533,931	12,533,931	6,266,966	6,266,965	12,533,931	0	0.0%
DCI - Crime Lab Equipment/Training	302,345	302,345	151,173	151,172	302,345	0	0.0%
Narcotics Enforcement	6,429,884	6,429,884	3,214,942	3,214,942	6,429,884	0	0.0%
Public Safety Undercover Funds	109,042	109,042	54,521	54,521	109,042	0	0.0%
DPS Fire Marshal	4,298,707	4,298,707	2,149,354	2,149,353	4,298,707	0	0.0%
Iowa State Patrol	48,505,765	51,903,233	25,951,617	25,951,616	51,903,233	0	0.0%
DPS/SPOC Sick Leave Payout	279,517	279,517	139,759	139,758	279,517	0	0.0%
Fire Fighter Training	612,255	725,520	362,760	362,760	725,520	0	0.0%
<b>Total Public Safety, Department of</b>	<b>\$ 77,078,521</b>	<b>\$ 80,589,254</b>	<b>\$ 40,294,630</b>	<b>\$ 40,294,624</b>	<b>\$ 80,589,254</b>	<b>\$ 0</b>	<b>0.0%</b>
<b>Total Justice System</b>	<b>\$ 641,766,498</b>	<b>\$ 662,487,672</b>	<b>\$ 331,243,845</b>	<b>\$ 355,634,545</b>	<b>\$ 686,878,390</b>	<b>\$ 24,390,718</b>	<b>3.7%</b>



# **Appendix B**

## **Other Fund Tracking**



# Justice System

## Other Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	Gov Rec Adjust. FY 2013 (4)	Total Gov Rec FY 2013 (5)	Total Gov Rec vs Est FY 2012 (6)	Percent Change (7)
<u>Justice, Department of</u>							
Consumer Advocate							
Consumer Advocate - CMRF	\$ 3,318,465	\$ 3,136,163	\$ 1,568,082	\$ 1,568,081	\$ 3,136,163	\$ 0	0.0%
Total Justice, Department of	\$ 3,318,465	\$ 3,136,163	\$ 1,568,082	\$ 1,568,081	\$ 3,136,163	\$ 0	0.0%
<u>Public Safety, Department of</u>							
Public Safety, Dept. of							
DPS Gaming Enforcement	\$ 9,793,589	\$ 10,335,709	\$ 4,918,153	\$ 5,417,556	\$ 10,335,709	\$ 0	0.0%
Total Public Safety, Department of	\$ 9,793,589	\$ 10,335,709	\$ 4,918,153	\$ 5,417,556	\$ 10,335,709	\$ 0	0.0%
Total Justice System	\$ 13,112,054	\$ 13,471,872	\$ 6,486,235	\$ 6,985,637	\$ 13,471,872	\$ 0	0.0%



# **Appendix C**

## **FTE Position Tracking**



## Explanation of FTE Position Data

The following is an explanation of the Full-Time Equivalent (FTE) information provided on the following tables. The columns of FTE data represent different points in time that the numbers were compiled. For additional information on the State's FTE positions, see the following LSA report entitled, State of Iowa FY 2011 FTE positions and Personnel Costs: <https://www.legis.iowa.gov/DOCS/LSA/IssReview/2012/IRDLR000.PDF>

**Final Action FY 2011:** This information represents the number of FTEs that were appropriated in session law during the 2010 Legislative Session.

**Actual FY 2011:** This data represents the actual FTE utilization calculated at the close of the fiscal year. The FTE usage is calculated by taking the actual hours worked during the fiscal year and dividing the number by 2,080 hours. For example, if a department has budgeted a full-time position (equating to 1.0 FTE) and this position is vacant for six months of the fiscal year, at the close of the fiscal year, the calculation of the actual FTE would be 0.5 ( $1,040 \div 2,080$ ). The calculation of the actual FTE factors out the portion of the FTE that was vacant during the fiscal year.

**Actual FY 11 vs. Final Act FY 11:** This shows the difference between the estimates being used at the close of the 2010 Legislative Session and the actual FTE utilization calculated at the close of the fiscal year.

**Final Action FY 2012:** This information represents the number of FTEs that were appropriated in session law during the 2011 Legislative Session.

**Estimated FY 2012:** This data represents the estimated FTEs that were budgeted by the departments on or around the beginning of FY 2012 and incorporates any revisions that would have been made to the budget by the departments through (approximately) December of 2011. Changes to the estimates can occur for a variety of reasons. For example, if departments are not provided funding for salary adjustment to cover the costs of funding collective bargaining contracts, the departments will often reduce the number of FTEs in order to cover costs.

**Est. FY 12 vs. Final Act FY 12:** This column shows the difference between the estimates provided at the beginning of FY 2012 and the FTE positions enacted during the 2011 Legislative Session.

**Gov. Rec. FY 2013:** This is the Governor's recommendations for FY 2013.

**Gov. Rec. vs. Est. FY 12:** Represents the difference between the Governor's recommended FTEs and the most recent estimates for FY 2012.

# Justice System FTE

	Final Action FY 2011	Actual FY 2011	Actual FY 11 vs Final FY 11	Final Action FY 2012	Estimated FY 2012	Est FY 12 vs Final Act FY 12	Gov Rec FY 2013	Gov Rev vs Est FY 2012
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Justice, Department of</u>								
Justice, Dept. of								
General Office A.G.	232.50	200.91	-31.59	212.00	212.00	0.00	212.00	0.00
Victim Compensation Fund	22.00	21.32	-0.68	24.00	24.00	0.00	24.00	0.00
False Claims Enforcement	1.00	0.00	-1.00	0.00	0.00	0.00	0.00	0.00
<b>Total Justice, Dept. of</b>	<b>255.50</b>	<b>222.23</b>	<b>-33.27</b>	<b>236.00</b>	<b>236.00</b>	<b>0.00</b>	<b>236.00</b>	<b>0.00</b>
Consumer Advocate								
Consumer Advocate	0.00	0.00	0.00	22.00	0.00	-22.00	0.00	0.00
Consumer Advocate - CMRF	27.00	17.70	-9.30	0.00	22.00	22.00	22.00	0.00
<b>Total Consumer Advocate</b>	<b>27.00</b>	<b>17.70</b>	<b>-9.30</b>	<b>22.00</b>	<b>22.00</b>	<b>0.00</b>	<b>22.00</b>	<b>0.00</b>
<b>Total Justice, Department of</b>	<b>282.50</b>	<b>239.92</b>	<b>-42.58</b>	<b>258.00</b>	<b>258.00</b>	<b>0.00</b>	<b>258.00</b>	<b>0.00</b>
<u>Civil Rights Commission</u>								
Civil Rights Commission								
Civil Rights Commission	29.50	28.52	-0.98	28.00	28.00	0.00	28.00	0.00
<b>Total Civil Rights Commission</b>	<b>29.50</b>	<b>28.52</b>	<b>-0.98</b>	<b>28.00</b>	<b>28.00</b>	<b>0.00</b>	<b>28.00</b>	<b>0.00</b>
<u>Corrections, Dept. of</u>								
Fort Madison								
Ft. Madison Institution	489.00	450.67	-38.33	459.00	425.50	-33.50	445.00	19.50
<b>Total Fort Madison</b>	<b>489.00</b>	<b>450.67</b>	<b>-38.33</b>	<b>459.00</b>	<b>425.50</b>	<b>-33.50</b>	<b>445.00</b>	<b>19.50</b>
Anamosa								
Anamosa Institution	350.75	316.28	-34.47	361.00	314.00	-47.00	316.00	2.00
Oakdale								
Oakdale Institution	565.00	520.02	-44.98	556.50	506.50	-50.00	524.50	18.00
Newton								
Newton Institution	307.00	284.55	-22.45	300.00	257.00	-43.00	264.00	7.00
Mt Pleasant								
Mt. Pleasant Inst.	298.16	269.38	-28.78	288.28	268.68	-19.60	273.48	4.80
Rockwell City								
Rockwell City Institution	106.00	98.11	-7.89	102.00	97.00	-5.00	97.00	0.00



# Justice System

## FTE

	Final Action FY 2011	Actual FY 2011	Actual FY 11 vs Final FY 11	Final Action FY 2012	Estimated FY 2012	Est FY 12 vs Final Act FY 12	Gov Rec FY 2013	Gov Rev vs Est FY 2012
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Clarinda</b>								
Clarinda Institution	277.10	257.57	-19.53	283.40	265.65	-17.75	264.35	-1.30
<b>Mitchellville</b>								
Mitchellville Institution	185.00	174.50	-10.50	188.00	176.00	-12.00	176.00	0.00
<b>Fort Dodge</b>								
Ft. Dodge Institution	319.00	287.27	-31.73	306.00	295.50	-10.50	295.50	0.00
<b>Central Office</b>								
Corrections Administration	41.00	40.86	-0.14	39.00	36.00	-3.00	39.00	3.00
New Correctional Officers	0.00	0.00	0.00	3.00	0.00	-3.00	0.00	0.00
<b>Total Central Office</b>	<u>41.00</u>	<u>40.86</u>	<u>-0.14</u>	<u>42.00</u>	<u>36.00</u>	<u>-6.00</u>	<u>39.00</u>	<u>3.00</u>
<b>CBC District 1</b>								
CBC District I	189.51	176.91	-12.60	177.41	163.01	-14.40	170.91	7.90
<b>CBC District 2</b>								
CBC District II	156.89	145.36	-11.53	144.36	142.86	-1.50	142.86	0.00
<b>CBC District 3</b>								
CBC District III	78.99	73.59	-5.40	74.99	64.99	-10.00	71.99	7.00
<b>CBC District 4</b>								
CBC District IV	68.60	65.00	-3.60	65.00	63.00	-2.00	63.00	0.00
<b>CBC District 5</b>								
CBC District V	266.45	261.95	-4.50	255.95	260.95	5.00	260.95	0.00
<b>CBC District 6</b>								
CBC District VI	191.63	192.88	1.25	189.51	183.70	-5.81	192.76	9.06
<b>CBC District 7</b>								
CBC District VII	95.45	90.45	-5.00	86.45	81.70	-4.75	85.07	3.37
<b>CBC District 8</b>								
CBC District VIII	93.00	88.90	-4.10	90.90	81.60	-9.30	88.30	6.70
<b>Total Corrections, Dept. of</b>	<u>4,078.53</u>	<u>3,794.26</u>	<u>-284.27</u>	<u>3,970.75</u>	<u>3,683.64</u>	<u>-287.11</u>	<u>3,770.67</u>	<u>87.03</u>

# Justice System FTE

	Final Action FY 2011	Actual FY 2011	Actual FY 11 vs Final FY 11	Final Action FY 2012	Estimated FY 2012	Est FY 12 vs Final Act FY 12	Gov Rec FY 2013	Gov Rev vs Est FY 2012
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<u>Inspections &amp; Appeals, Dept. of</u>								
Public Defender								
Public Defender	203.00	205.45	2.45	219.00	219.00	0.00	219.00	0.00
Public Defender Positions	16.00	0.00	-16.00	0.00	0.00	0.00	0.00	0.00
Total Inspections & Appeals, Dept. of	219.00	205.45	-13.55	219.00	219.00	0.00	219.00	0.00
<u>Judicial Branch</u>								
Judicial Branch								
Judicial Branch	1,825.40	1,756.60	-68.80	1,792.86	1,781.66	-11.20	1,881.66	100.00
Total Judicial Branch	1,825.40	1,756.60	-68.80	1,792.86	1,781.66	-11.20	1,881.66	100.00
<u>Law Enforcement Academy</u>								
Law Enforcement Academy								
Law Enforcement Academy	30.55	22.46	-8.09	24.55	25.50	0.95	25.50	0.00
Total Law Enforcement Academy	30.55	22.46	-8.09	24.55	25.50	0.95	25.50	0.00
<u>Parole, Board of</u>								
Parole Board								
Parole Board	13.50	9.59	-3.91	12.50	11.00	-1.50	11.00	0.00
Total Parole, Board of	13.50	9.59	-3.91	12.50	11.00	-1.50	11.00	0.00
<u>Public Defense, Dept. of</u>								
Public Defense, Dept. of								
Public Defense, Department of	324.00	280.41	-43.59	313.00	309.21	-3.79	297.01	-12.20
Total Public Defense, Dept. of	324.00	280.41	-43.59	313.00	309.21	-3.79	297.01	-12.20

## Justice System FTE

	Final Action FY 2011	Actual FY 2011	Actual FY 11 vs Final FY 11	Final Action FY 2012	Estimated FY 2012	Est FY 12 vs Final Act FY 12	Gov Rec FY 2013	Gov Rev vs Est FY 2012
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Emergency Management Division								
Homeland Security & Emer. Mgmt.	33.00	124.35	91.35	40.00	35.34	-4.66	35.34	0.00
<b>Total Emergency Management Division</b>	<b>33.00</b>	<b>124.35</b>	<b>91.35</b>	<b>40.00</b>	<b>35.34</b>	<b>-4.66</b>	<b>35.34</b>	<b>0.00</b>
<b>Total Public Defense, Dept. of</b>	<b>357.00</b>	<b>404.76</b>	<b>47.76</b>	<b>353.00</b>	<b>344.55</b>	<b>-8.45</b>	<b>332.35</b>	<b>-12.20</b>
<u>Public Safety, Department of</u>								
Public Safety, Dept. of								
Public Safety Administration	36.00	33.18	-2.82	36.00	36.00	0.00	36.00	0.00
Public Safety DCI	162.10	149.13	-12.97	159.10	155.10	-4.00	154.60	-0.50
Narcotics Enforcement	75.00	69.12	-5.88	74.00	69.00	-5.00	68.00	-1.00
DPS Fire Marshal	57.00	54.11	-2.89	55.00	54.00	-1.00	54.00	0.00
Iowa State Patrol	503.00	497.40	-5.60	513.00	498.05	-14.95	498.00	-0.05
DPS Gaming Enforcement	115.00	111.07	-3.93	120.00	107.00	-13.00	115.00	8.00
<b>Total Public Safety, Department of</b>	<b>948.10</b>	<b>914.03</b>	<b>-34.07</b>	<b>957.10</b>	<b>919.15</b>	<b>-37.95</b>	<b>925.60</b>	<b>6.45</b>
<b>Total Justice System</b>	<b>7,784.08</b>	<b>7,375.58</b>	<b>-408.50</b>	<b>7,615.76</b>	<b>7,270.50</b>	<b>-345.26</b>	<b>7,451.78</b>	<b>181.28</b>



# **Appendix D**

## **Schedules**



## Schedule 6 Example

The Schedule 6 shows all of the resources for a particular budget unit, including appropriations, federal funds, etc.

<b>STATE OF IOWA</b> Fiscal Year 2013 Annual Budget SPECIAL DEPARTMENT: (660) Natural Resources, Department of Budget Unit: (5420G720001) GF-Natural Resources Operations Schedule 6					Department name & budget unit
Resources	Fiscal Year 2011 Actual	Fiscal Year 2012 Estimated	Fiscal Year 2013 Department Request	Fiscal Year 2013 Governor's Recomm	Fiscal Year
<b>Appropriations</b>					<b>Appropriation</b>
Appropriation	\$ 15,600,710	\$ 12,266,688	\$ 6,133,344	\$ 6,333,344	
Change	-112,535	0	0	0	
FY11 \$83.7M Reductions	-2,152,106	0	0	0	
Previously Enacted Appropriation	0	0	6,133,344	6,133,344	
	13,336,069	12,266,688	12,266,688	12,466,688	
<b>Receipts</b>					<b>Budget unit receipts</b>
Federal Support	23,050,229	26,982,389	26,982,389	26,982,389	
Intra State Receipts	76,973,737	83,070,509	83,054,509	83,054,509	
Reimbursement from Other Agencies	78,612	0	0	0	
Fees, Licenses & Permits	100	0	0	0	
Refunds & Reimbursements	2,747,206	1,555,195	1,571,195	1,571,195	
Other Sales & Services	2,696	3,500	3,500	3,500	
Unearned Receipts	287,190	0	0	0	
Other	1,531	0	0	0	
	103,141,301	111,611,593	111,611,593	111,611,593	
<b>Total Resources</b>	<b>\$ 116,477,370</b>	<b>\$ 123,878,281</b>	<b>\$ 123,878,281</b>	<b>\$ 124,078,281</b>	
<b>FTE</b>	<b>1,007.78</b>	<b>1,112.95</b>	<b>1,107.95</b>	<b>1,107.95</b>	<b>Full Time Equivalent (FTE) Positions</b>
<b>Disposition of Resources</b>					<b>Budget unit expenditures</b>
Personal Services-Salaries	\$ 80,377,784	\$ 86,452,083	\$ 86,449,583	\$ 86,449,583	
Personal Travel In State	786,388	1,055,377	1,055,377	1,055,377	
State Vehicle Operation	2,356,924	2,138,844	2,138,844	2,138,844	
Depreciation	1,800,575	1,673,740	1,673,740	1,673,740	
Personal Travel Out of State	136,623	344,820	344,820	344,820	

A Schedule 6 provides a detailed budget for all appropriated accounts or Funds under the control of the Department. Receipts includes the appropriation, the salary adjustment (if applicable), across-the-board reductions, supplemental appropriations, intra-state receipts from other agencies, receipts from local governments, and other receipts such as fees. Expenditures include all expenses related to the operating budget, such as salary, travel, contracts, etc. Expenditures also include the reversion or balance brought forward.

Budget schedules are available at: <https://www.legis.iowa.gov/LSAReports/relateddocSchedules.aspx>

Schedule 1 Example

The Schedule 1 shows the “decision packages” used by the Executive Branch to arrive at the Department’s annual budget request (dollars and FTE positions) and the Governor’s recommendations for a particular budget unit.

STATE OF IOWA					
Fiscal Year 2013 Annual Budget					
SPECIAL DEPARTMENT: (660) Natural Resources, Department of					
Budget Unit: (5420G720001) GF-Natural Resources Operations					
Schedule 1					
Rank	Description	Funding Source	Fiscal Year 2013 Department Request	Fiscal Year 2013 Governor's Recommendations	
Base	Maintain essential services associated with natural resource protection, recreation and preservation.	Prev Approp FTE	6,133,344 1,107.95	6,133,344 1,107.95	Department name & budget unit
0001	Restoration to 100% FY 12 Level	Appropriation	6,133,344	6,133,344	Fiscal Year
0002	To replace funding diverted to the Watershed Improvement Fund to provide assistance to the animal agricultural community.	Appropriation	0	200,000	Base budget and Full Time Equivalent Positions (FTEs)
					Adjustments to base budget
<b>Total Budget Unit Funding</b>		Fiscal Year 2012 Estimated	Fiscal Year 2013 Department Request	Fiscal Year 2013 Governor's Recommendations	
Previously Enacted Appropriation		\$ 0	\$ 6,133,344	\$ 6,133,344	Total appropriation and FTEs
Appropriation		12,266,688	6,133,344	6,333,344	
Total Appropriations		\$ 12,266,688	\$ 12,266,688	\$ 12,466,688	
Total FTE		1,112.95	1,107.95	1,107.95	

A Schedule 1 provides a summary of funding available for a Department. The Schedule shows both General Fund and total funds plus FTE positions. The Schedule shows, by priority, any changes to current law (or budget).



# **Appendix E**

## **Spreadsheets**



# Justice System

## Governor's Recommendations General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Gov Rec FY 2013 (3)	Gov Rec vs Est. FY 2012 (4)	Percent Change (5)	Explanation (6)
<b><u>Justice, Department of</u></b>						
<b>Justice, Dept. of</b>						
General Office A.G.	\$ 7,782,682	\$ 7,792,930	\$ 7,792,930	\$ 0	0.0%	No change.
Victim Assistance Grants	3,060,000	2,876,400	2,876,400	0	0.0%	No change.
Legal Services Poverty Grants	1,930,671	1,814,831	1,814,831	0	0.0%	No change.
<b>Total Justice, Department of</b>	<b>\$ 12,773,353</b>	<b>\$ 12,484,161</b>	<b>\$ 12,484,161</b>	<b>\$ 0</b>	<b>0.0%</b>	
<b><u>Civil Rights Commission</u></b>						
<b>Civil Rights Commission</b>						
Civil Rights Commission	\$ 1,334,589	\$ 1,297,069	\$ 1,297,069	\$ 0	0.0%	No change.
<b>Total Civil Rights Commission</b>	<b>\$ 1,334,589</b>	<b>\$ 1,297,069</b>	<b>\$ 1,297,069</b>	<b>\$ 0</b>	<b>0.0%</b>	
<b><u>Corrections, Dept. of</u></b>						
<b>Fort Madison</b>						
Ft. Madison Institution	\$ 38,453,601	\$ 41,031,283	\$ 42,686,899	\$ 1,655,616	4.0%	Adds \$1,260,748 to annualize the recommended FY 2012 supplemental appropriation. Adds \$566,208 to maintain staffing. Decrease of \$171,340 to transfer 2.00 FTE positions to Iowa Prison Industries (IPI) Revolving Fund.
<b>Anamosa</b>						
Anamosa Institution	\$ 29,563,854	\$ 31,985,974	\$ 32,760,186	\$ 774,212	2.4%	Adds \$182,174 to annualize the recommended FY 2012 supplemental appropriation. Adds \$592,038 to maintain staffing.
<b>Oakdale</b>						
Oakdale Institution	\$ 55,000,040	\$ 55,594,426	\$ 57,950,613	\$ 2,356,187	4.2%	Adds \$995,473 to annualize the recommended FY 2012 supplemental appropriation. Adds \$1,237,207 to maintain staffing. Adds \$123,507 to transfer a pharmacy position from Clarinda.
<b>Newton</b>						
Newton Institution	\$ 25,700,753	\$ 25,958,757	\$ 27,127,290	\$ 1,168,533	4.5%	Adds \$642,944 to annualize the recommended FY 2012 supplemental appropriation. Adds \$525,589 to maintain staffing.

# Justice System

## Governor's Recommendations General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Gov Rec FY 2013 (3)	Gov Rec vs Est. FY 2012 (4)	Percent Change (5)	Explanation (6)
<b>Mt Pleasant</b>						
Mt. Pleasant Inst.	\$ 25,551,510	\$ 25,917,815	\$ 26,751,707	\$ 833,892	3.2%	Adds \$404,087 to annualize the recommended FY 2012 supplemental appropriation. Adds \$429,805 to maintain staffing.
<b>Rockwell City</b>						
Rockwell City Institution	\$ 9,078,666	\$ 9,316,466	\$ 9,584,151	\$ 267,685	2.9%	Adds \$267,685 to maintain staffing.
<b>Clarinda</b>						
Clarinda Institution	\$ 23,016,294	\$ 24,639,518	\$ 25,054,229	\$ 414,711	1.7%	Adds \$576,576 to maintain staffing. Includes a decrease of \$123,507 for transfer to Oakdale for a pharmacy position. Also includes a net reduction of \$38,358 between the Oakdale and Clarinda appropriations to reflect savings associated with Central Pharmacy.
<b>Mitchellville</b>						
Mitchellville Institution	\$ 15,283,848	\$ 15,615,374	\$ 16,124,759	\$ 509,385	3.3%	Adds \$509,385 to maintain staffing.
<b>Fort Dodge</b>						
Ft. Dodge Institution	\$ 28,310,185	\$ 29,062,235	\$ 29,668,270	\$ 606,035	2.1%	Adds \$606,035 to maintain staffing.
<b>Central Office</b>						
Corrections Administration	\$ 4,237,054	\$ 4,835,542	\$ 5,327,854	\$ 492,312	10.2%	Adds \$346,040 to annualize the recommended FY 2012 supplemental appropriation. Adds \$146,272 to maintain staffing.
County Confinement	775,092	775,092	1,075,092	300,000	38.7%	Adds \$300,000 to annualize the recommended FY 2012 supplemental appropriation.
Federal Prisoners/Contractual	239,411	239,411	484,411	245,000	102.3%	Adds \$245,000 to annualize the recommended FY 2012 supplemental appropriation.
Corrections Education	1,558,109	2,308,109	2,308,109	0	0.0%	No change.
Iowa Corrections Offender Network	424,364	424,364	424,364	0	0.0%	No change.
Mental Health/Substance Abuse	22,319	22,319	22,319	0	0.0%	No change.
Hepatitis Treatment And Education	167,881	167,881	167,881	0	0.0%	No change.
<b>Total Central Office</b>	<b>\$ 7,424,230</b>	<b>\$ 8,772,718</b>	<b>\$ 9,810,030</b>	<b>\$ 1,037,312</b>	<b>11.8%</b>	
<b>CBC District 1</b>						
CBC District I	\$ 11,920,098	\$ 12,204,948	\$ 12,958,763	\$ 753,815	6.2%	Adds \$453,140 to annualize the recommended FY 2012 supplemental appropriation. Adds \$300,675 to maintain staffing.

# Justice System

## Governor's Recommendations General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Gov Rec FY 2013 (3)	Gov Rec vs Est. FY 2012 (4)	Percent Change (5)	Explanation (6)
<b>CBC District 2</b>						
CBC District II	\$ 10,336,948	\$ 10,336,948	\$ 10,739,572	\$ 402,624	3.9%	Adds \$402,624 to maintain staffing.
<b>CBC District 3</b>						
CBC District III	\$ 5,501,879	\$ 5,599,765	\$ 6,238,455	\$ 638,690	11.4%	Adds \$352,616 to annualize the recommended FY 2012 supplemental appropriation. Adds \$286,074 to maintain staffing.
<b>CBC District 4</b>						
CBC District IV	\$ 5,391,355	\$ 5,391,355	\$ 5,469,811	\$ 78,456	1.5%	Adds \$78,456 to maintain staffing.
<b>CBC District 5</b>						
CBC District V	\$ 18,407,129	\$ 18,742,129	\$ 19,220,091	\$ 477,962	2.6%	Adds \$477,962 to maintain staffing.
<b>CBC District 6</b>						
CBC District VI	\$ 12,709,753	\$ 13,112,563	\$ 14,095,408	\$ 982,845	7.5%	Adds \$599,943 to annualize the recommended FY 2012 supplemental appropriation. Adds \$382,902 to maintain staffing.
<b>CBC District 7</b>						
CBC District VII	\$ 6,492,814	\$ 6,492,814	\$ 6,895,634	\$ 402,820	6.2%	Adds \$223,774 to annualize the recommended FY 2012 supplemental appropriation. Adds \$179,046 to maintain staffing.
<b>CBC District 8</b>						
CBC District VIII	\$ 6,731,055	\$ 6,879,715	\$ 7,518,935	\$ 639,220	9.3%	Adds \$492,704 to annualize the recommended FY 2012 supplemental appropriation. Adds \$146,516 to maintain staffing.
<b>Total Corrections, Dept. of</b>	<b>\$ 334,874,012</b>	<b>\$ 346,654,803</b>	<b>\$ 360,654,803</b>	<b>\$ 14,000,000</b>	<b>4.0%</b>	
<b><u>Inspections &amp; Appeals, Dept. of</u></b>						
<b>Public Defender</b>						
Public Defender	\$ 24,083,182	\$ 25,083,182	\$ 25,862,182	\$ 779,000	3.1%	Transfers \$779,000 from the Indigent Defense Fund to maintain staffing. Transfers \$779,000 to the State Public Defender's Office.
Indigent Defense Appropriation	31,680,929	30,680,929	29,901,929	-779,000	-2.5%	
<b>Total Inspections &amp; Appeals, Dept. of</b>	<b>\$ 55,764,111</b>	<b>\$ 55,764,111</b>	<b>\$ 55,764,111</b>	<b>\$ 0</b>	<b>0.0%</b>	

# Justice System

## Governor's Recommendations General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Gov Rec FY 2013 (3)	Gov Rec vs Est. FY 2012 (4)	Percent Change (5)	Explanation (6)
<b>Judicial Branch</b>						
<b>Judicial Branch</b>						
Judicial Branch	\$ 148,811,822	\$ 154,111,822	\$ 163,304,540	\$ 9,192,718	6.0%	Adds \$2,228,915 to restore 53.0 Clerk of Court FTE positions. Adds \$2,451,722 to restore 42 of the 180 positions eliminated due to the 7.1% ATB reduction of \$11.4 million in FY 2010. Adds \$512,081 for 8.0 additional Information Technology FTE positions to implement EDMS. Adds \$4,000,000 to pay for basic, on-going ICIS operations from the General Fund rather than the Enhanced Court Technology and Modernization Fund.
Jury & Witness	1,500,000	2,300,000	3,100,000	800,000	34.8%	Adds \$800,000 for the Jury and Witness Fee Revolving Fund due to a change in the deposit of two-year-old court debt.
<b>Total Judicial Branch</b>	<b>\$ 150,311,822</b>	<b>\$ 156,411,822</b>	<b>\$ 166,404,540</b>	<b>\$ 9,992,718</b>	<b>6.4%</b>	
<b>Law Enforcement Academy</b>						
<b>Law Enforcement Academy</b>						
Law Enforcement Academy	\$ 840,667	\$ 868,698	\$ 968,698	\$ 100,000	11.5%	Adds \$100,000 to offset the decline in basic enrollments from local governments.
<b>Total Law Enforcement Academy</b>	<b>\$ 840,667</b>	<b>\$ 868,698</b>	<b>\$ 968,698</b>	<b>\$ 100,000</b>	<b>11.5%</b>	
<b>Parole, Board of</b>						
<b>Parole Board</b>						
Parole Board	\$ 969,043	\$ 1,053,835	\$ 1,203,835	\$ 150,000	14.2%	Adds \$150,000 to fund the PERB decision and related support costs that required hiring back an Administrative Law Judge (ALJ) that was laid off in FY 2010.
<b>Total Parole, Board of</b>	<b>\$ 969,043</b>	<b>\$ 1,053,835</b>	<b>\$ 1,203,835</b>	<b>\$ 150,000</b>	<b>14.2%</b>	
<b>Public Defense, Dept. of</b>						
<b>Public Defense, Dept. of</b>						
Public Defense, Department of	\$ 5,879,832	\$ 5,527,042	\$ 5,675,042	\$ 148,000	2.7%	Adds \$148,000 to restore the Deputy Adjutant General Army position.
<b>Emergency Management Division</b>						
Homeland Security & Emer. Mgmt.	\$ 1,940,548	\$ 1,836,877	\$ 1,836,877	\$ 0	0.0%	No change.
<b>Total Public Defense, Dept. of</b>	<b>\$ 7,820,380</b>	<b>\$ 7,363,919</b>	<b>\$ 7,511,919</b>	<b>\$ 148,000</b>	<b>2.0%</b>	

# Justice System

## Governor's Recommendations General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Gov Rec FY 2013 (3)	Gov Rec vs Est. FY 2012 (4)	Percent Change (5)	Explanation (6)
<b>Public Safety, Department of</b>						
<b>Public Safety, Dept. of</b>						
Public Safety Administration	\$ 4,007,075	\$ 4,007,075	\$ 4,007,075	\$ 0	0.0%	No change.
Public Safety DCI	12,533,931	12,533,931	12,533,931	0	0.0%	No change.
DCI - Crime Lab Equipment/Training	302,345	302,345	302,345	0	0.0%	No change.
Narcotics Enforcement	6,429,884	6,429,884	6,429,884	0	0.0%	No change.
Public Safety Undercover Funds	109,042	109,042	109,042	0	0.0%	No change.
DPS Fire Marshal	4,298,707	4,298,707	4,298,707	0	0.0%	No change.
Iowa State Patrol	48,505,765	51,903,233	51,903,233	0	0.0%	No change.
DPS/SPOC Sick Leave Payout	279,517	279,517	279,517	0	0.0%	No change.
Fire Fighter Training	612,255	725,520	725,520	0	0.0%	No change.
<b>Total Public Safety, Department of</b>	<b>\$ 77,078,521</b>	<b>\$ 80,589,254</b>	<b>\$ 80,589,254</b>	<b>\$ 0</b>	<b>0.0%</b>	
<b>Total Justice System</b>	<b>\$ 641,766,498</b>	<b>\$ 662,487,672</b>	<b>\$ 686,878,390</b>	<b>\$ 24,390,718</b>	<b>3.7%</b>	

# Justice System

## Governor's Recommendations Other Funds

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Gov Rec FY 2013 (3)	Gov Rec vs Est. FY 2012 (4)	Percent Change (5)	Explanation (6)
<u>Justice, Department of</u>						
Consumer Advocate						
Consumer Advocate - CMRF	\$ 3,318,465	\$ 3,136,163	\$ 3,136,163	\$ 0	0.0%	No change.
Total Justice, Department of	\$ 3,318,465	\$ 3,136,163	\$ 3,136,163	\$ 0	0.0%	
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
DPS Gaming Enforcement	\$ 9,793,589	\$ 10,335,709	\$ 10,335,709	\$ 0	0.0%	No change.
Total Public Safety, Department of	\$ 9,793,589	\$ 10,335,709	\$ 10,335,709	\$ 0	0.0%	
Total Justice System	\$ 13,112,054	\$ 13,471,872	\$ 13,471,872	\$ 0	0.0%	



**FY 2013 Judicial Branch Budget Request**

<b>Budget Package</b>	<b>Amount</b>	<b>Description</b>
<b>GENERAL OPERATIONS REQUEST</b>		
Base Budget	\$ 154,111,822	FY 2012 funding level
Restores 53.0 FTE Clerk of Court positions.	2,228,915	This request restores half of the clerk of court staff reductions from FY 2010. Currently, all Clerk of Court offices close to the public on Tuesday and Thursday afternoons. In addition, 32 Clerk of Court offices are part-time offices. This would permit most counties to operate Clerk of Court offices with full-time public access.
Restores 42 of the 180 positions that were eliminated due to the 7.1% ATB in FY 2010 of \$11.4 million.	2,451,722	This request funds the following positions: 15 Juvenile Court Officers, 5 Juvenile Court Technicians, 10 Court Reporters, 5 Law Clerks, 4.5 Information Technology staff, and two Court of Appeals Attorneys and a part-time Appellate Court Clerk.
Request for eight additional Information Technology staff to implement the Judicial Branch business plan to move from a paper-based environment to an electronic-based environment and funding to pay for basic, on-going ICIS operations from the General Fund rather than Enhanced Court Technology and Modernization Fund.	4,512,081	This request includes \$512,081 and 8.0 FTE positions for the electronic document management system (EDMS) staff and transferring \$4.0 million in on-going Iowa Court Information System (ICIS) operations from the Enhanced Court Technology and Modernization Fund to the General Fund.
	<u>\$ 163,304,540</u>	
<b>JURY AND WITNESS FEE REQUEST</b>		
Base Budget	\$ 2,300,000	FY 2012 funding level
Request for additional funds due to change in deposit of two-year-old court debt.	800,000	This Fund is used to pay mileage reimbursement to jurors, witnesses, and interpreters. Jurors are paid \$30 per day and witnesses receive \$10 per day and \$5 for a half day. Expert witnesses are paid a reasonable compensation as determined by the Court.
	<u>\$ 3,100,000</u>	
Total FY 2013 Judicial Branch Budget Request	<u><u>\$ 166,404,540</u></u>	



**Governor's Recommendation - FY 2012 and FY 2013 Corrections System  
General Fund**

	Estimated FY 2012 (2)	Gov Rec Supp. Approp. (3)	Gov Rec FTE Positions (4)	Gov Rec Revised FY 2012 (5)	Gov Rec Maintain Staffing (6)	Gov Rec Central Pharmacy (7)	Gov Rec Fort Madison Transfer to IPI (8)	Gov Rec FY 2013 (9)	Gov Rec FY 2013 vs. Revised Gov Rec FY 2012 (10)
<b>Corrections, Dept. of</b>									
Ft. Madison Institution	\$ 41,031,283	\$ 1,260,748	17.50	\$ 42,292,031	\$ 566,208	\$ 0	\$ -171,340	\$ 42,686,899	\$ 394,868
Anamosa Institution	31,985,974	182,174	2.00	32,168,148	592,038	0	0	32,760,186	592,038
Oakdale Institution	55,594,426	995,473	17.00	56,589,899	1,237,207	123,507	0	57,950,613	1,360,714
Newton Institution	25,958,757	642,944	7.00	26,601,701	525,589	0	0	27,127,290	525,589
Mt. Pleasant Institution	25,917,815	404,087	4.80	26,321,902	429,805	0	0	26,751,707	429,805
Rockwell City Institution	9,316,466	0	0.00	9,316,466	267,685	0	0	9,584,151	267,685
Clarinda Institution	24,639,518	0	0.00	24,639,518	576,576	-161,865	0	25,054,229	414,711
Mitchellville Institution	15,615,374	0	0.00	15,615,374	509,385	0	0	16,124,759	509,385
Ft. Dodge Institution	29,062,235	0	0.00	29,062,235	606,035	0	0	29,668,270	606,035
<b>Total DOC Institutions</b>	<b>\$ 259,121,848</b>	<b>\$ 3,485,426</b>	<b>48.30</b>	<b>\$ 262,607,274</b>	<b>\$ 5,310,528</b>	<b>\$ -38,358</b>	<b>\$ -171,340</b>	<b>\$ 267,708,104</b>	<b>\$ 5,100,830</b>
<b>Central Office</b>									
Corrections Administration	\$ 4,835,542	\$ 346,040	3.00	\$ 5,181,582	\$ 146,272	\$ 0	\$ 0	\$ 5,327,854	\$ 146,272
County Confinement	775,092	300,000	0.00	1,075,092	0	0	0	1,075,092	0
Federal Prisoners/Contractual	239,411	245,000	0.00	484,411	0	0	0	484,411	0
Corrections Education	2,308,109	0	0.00	2,308,109	0	0	0	2,308,109	0
Iowa Corrections Offender Network	424,364	0	0.00	424,364	0	0	0	424,364	0
Mental Health/Substance Abuse	22,319	0	0.00	22,319	0	0	0	22,319	0
Hepatitis Treatment And Education	167,881	0	0.00	167,881	0	0	0	167,881	0
<b>Total Central Office</b>	<b>\$ 8,772,718</b>	<b>\$ 891,040</b>	<b>3.00</b>	<b>\$ 9,663,758</b>	<b>\$ 146,272</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 9,810,030</b>	<b>\$ 146,272</b>
 CBC District I	 \$ 12,204,948	 \$ 453,140	 7.90	 \$ 12,658,088	 \$ 300,675	 \$ 0	 \$ 0	 \$ 12,958,763	 \$ 300,675
CBC District II	10,336,948	0	0.00	10,336,948	402,624	0	0	10,739,572	402,624
CBC District III	5,599,765	352,616	7.00	5,952,381	286,074	0	0	6,238,455	286,074
CBC District IV	5,391,355	0	0.00	5,391,355	78,456	0	0	5,469,811	78,456
CBC District V	18,742,129	0	0.00	18,742,129	477,962	0	0	19,220,091	477,962
CBC District VI	13,112,563	599,943	9.06	13,712,506	382,902	0	0	14,095,408	382,902
CBC District VII	6,492,814	223,774	3.37	6,716,588	179,046	0	0	6,895,634	179,046
CBC District VIII	6,879,715	492,704	7.70	7,372,419	146,516	0	0	7,518,935	146,516
<b>Total CBC District Departments</b>	<b>\$ 78,760,237</b>	<b>\$ 2,122,177</b>	<b>35.03</b>	<b>\$ 80,882,414</b>	<b>\$ 2,254,255</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 83,136,669</b>	<b>\$ 2,254,255</b>
 <b>Total Corrections, Dept. of</b>	 <b>\$ 346,654,803</b>	 <b>\$ 6,498,643</b>	 <b>86.33</b>	 <b>\$ 353,153,446</b>	 <b>\$ 7,711,055</b>	 <b>\$ -38,358</b>	 <b>\$ -171,340</b>	 <b>\$ 360,654,803</b>	 <b>\$ 7,501,357</b>



**ATTORNEY GENERAL REIMBURSEMENTS  
AGENCIES, FUNDS, BOARDS, INTERNAL FUNDS, GRANTS**

Agency Name	Actual 06	Actual 07	Actual 08	Actual 09	Actual 10	Actual 11	Budget 12	Budget 13
Transportation	909,880	919,369	988,794	1,133,688	1,114,142	1,222,921	1,270,227	1,270,227
Human Services	3,217,444	3,838,948	4,492,911	5,149,096	5,130,450	5,387,471	5,731,011	5,731,011
Public Health	122,247	168,274	281,091	381,494	417,272	430,198	425,125	425,125
Inspect & Appeals	152,706	167,298	434,854	497,632	491,127	478,041	388,797	388,797
Revenue	604,720	654,437	703,504	724,873	695,115	692,525	733,801	733,801
Public Safety	114,885	124,923	138,646	151,086	143,241	150,688	159,632	159,632
Banking	118,602	119,812	130,737	135,657	133,173	141,549	143,204	143,204
Insurance	237,370	228,854	245,324	263,220	185,595	142,803	163,000	163,000
Civil Rights	109,002	113,658	123,234	129,849	125,589	132,745	138,737	138,737
Alcoholic Bev Div	132,819	128,290	128,606	128,562	76,948	79,531	85,000	85,000
College Aid Comm	80,388	86,602	92,449	97,289	97,019	44,537	45,600	45,600
Treasurer (Unci Prop)	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Treasurer (TSA)	503,138	452,210	435,652	360,152	572,445	396,496	300,000	300,000
Treasurer (2nd Injury Fund)	50,000	50,000	150,000	150,000	150,000	150,000	150,000	150,000
Treasurer (I-Jobs)	-	-	-	13,384	-	2,724	-	-
Credit Union Div	25,000	25,000	25,000	25,000	27,083	25,000	25,000	25,000
Lottery	50,320	102,961	238,319	142,641	139,124	119,594	118,260	118,260
DAS/General Services	50,148	50,125	54,317	54,388	52,439	52,032	50,000	50,000
DAS/GS Vehicle	30,000	30,000	30,000	30,000	30,000	30,267	30,000	30,000
DAS/Personnel (Work Comp)	242,000	242,000	242,000	242,000	400,000	400,000	400,000	400,000
DAS/la Technology Dept	60,148	60,098	60,108	60,114	60,132	60,637	60,000	60,000
DAS/ITE - ROI	-	-	-	-	10,000	-	-	-
DAS/HRE - Phippen Case	-	-	-	-	23,794	400,420	170,000	170,000
IA Comm Network	56,569	71,482	78,258	85,132	52,470	52,660	51,995	51,995
Racing & Gaming	20,725	20,376	20,286	20,696	20,783	20,178	20,000	20,000
Education	16,666	17,171	15,463	15,397	15,490	15,277	15,000	15,000
Economic Development	25,280	20,110	20,074	20,876	67,610	89,993	78,450	78,450
DED - Vision Iowa	15,039	15,637	15,283	15,404	15,353	15,059	15,000	15,000
Educ Examiners	22,103	21,169	25,074	26,633	25,449	32,457	30,000	30,000
Public Safety (HIDTA)	288,306	309,609	356,713	376,071	343,032	158,508	224,890	224,890
Public Safety (ICAC)	-	-	-	-	30,852	3,873	17,500	17,500
Public Safety Enforcement Fund	-	-	-	-	-	150,000	-	-
Judicial - Ct Cost Refunds	3,281	3,763	3,886	3,606	3,314	3,933	4,500	4,500
la Workforce Development	-	-	-	36,885	25,248	25,601	25,000	25,000
Consumer Advocate	25,172	25,776	25,938	25,605	25,628	25,806	25,172	25,172
Secretary of State	2,818	2,712	-	-	-	-	-	-
Regents-UNI	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Regents	263,753	367,056	372,995	468,192	298,077	371,777	336,070	336,070
Natural Resources	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
la Finance Authority	25,141	25,189	25,637	25,530	25,058	25,072	25,000	25,000
la National Guard	34,007	30,053	30,104	30,117	30,263	41,718	30,000	30,000
Emergency Management	16,950	15,323	30,000	30,000	30,000	30,000	30,000	30,000
Elder Affairs	-	-	20,281	20,785	20,535	20,075	40,000	40,000
IPTV	-	-	4,800	4,800	4,800	4,800	4,800	4,800
Vocational Rehab	-	-	-	-	40,483	40,124	15,000	15,000
OEI - Power Fund Board	-	-	-	-	29,565	33,585	37,000	37,000
IPERS	-	-	-	-	24,689	6,754	-	-
Corrections-IFI & Other	170,995	27,445	984	-	-	-	-	-
Columbia University	-	34,954	51,525	49,981	-	-	-	-
Misc. Law Enforcement Receipts	38,499	39,184	44,728	49,947	38,130	40,521	45,000	45,000
Iowa County Atty Association	43,711	46,647	53,454	40,448	52,416	55,237	57,588	57,588
<b>Total</b>	<b>7,941,830</b>	<b>8,718,516</b>	<b>10,253,027</b>	<b>11,278,229</b>	<b>11,355,933</b>	<b>11,865,186</b>	<b>11,777,359</b>	<b>11,777,359</b>

Fund Name	Actual 06	Actual 07	Actual 08	Actual 09	Actual 10	Actual 11	Budget 12	Budget 13
Grain Indemnity Fund	60,000	60,000	60,000	72,600	72,600	72,600	72,600	72,600
Pesticide Fund	-	-	2,828	1,953	1,112	424	3,000	3,000
UST Fund	106,396	105,982	106,822	106,208	65,392	66,540	67,400	67,400
<b>Total</b>	<b>166,396</b>	<b>165,982</b>	<b>169,650</b>	<b>180,760</b>	<b>139,104</b>	<b>139,564</b>	<b>143,000</b>	<b>143,000</b>

Board Name	Actual 06	Actual 07	Actual 08	Actual 09	Actual 10	Actual 11	Budget 12	Budget 13
Commerce Boards	60,702	129,926	126,554	122,945	120,020	120,047	119,500	119,500
Medical Examiners	46,053	66,631	128,867	107,926	118,833	133,391	125,000	125,000
Pharmacy Examiners	64,506	65,188	64,552	64,679	64,220	63,655	63,170	63,170
Nursing Board	26,474	24,867	24,178	24,092	51,609	49,807	60,000	60,000
Dental Examiners	19,131	19,114	20,744	26,278	20,429	19,135	19,068	19,068
Fair Board	10,052	10,028	10,059	10,058	10,025	10,040	10,000	10,000
Electricians	-	-	-	-	20,044	20,052	20,000	20,000
<b>Total</b>	<b>226,919</b>	<b>315,753</b>	<b>374,954</b>	<b>355,978</b>	<b>405,181</b>	<b>416,126</b>	<b>416,738</b>	<b>416,738</b>

<b>Internal Funds</b>	Actual 06	Actual 07	Actual 08	Actual 09	Actual 10	Actual 11	Budget 12	Budget 13
Ia Cons Cred Fund	245,000	240,788	245,462	245,692	255,816	245,000	245,000	245,000
Elderly Iowan Fund	93,702	286,996	52,904	667,255	626,410	600,485	392,694	392,694
Consumer Ed Fund	597,138	907,038	829,073	1,136,556	1,403,926	1,657,397	2,000,000	2,000,000
Victim Comp Fund	178,418	156,331	64,892	162,974	171,269	156,907	82,235	82,235
Antitrust Fund	142,109	159,667	160,627	147,569	167,588	170,576	169,787	169,787
Environmental Fund	-	-	-	10,849	-	20,000	-	-
Mylan Funds	35,865	216,979	141,969	-	-	-	-	-
Salton/Cy Pres Funds	15,794	1,324	33	-	-	-	-	-
Consumer Fraud - Countrywide	-	-	-	-	35,133	71,840	74,873	74,873
Tobacco Litigation Donation Fund	-	-	-	-	19,842	-	-	-
Forfeiture Fund	-	-	300,000	349,883	289,100	146,532	400,000	400,000
<b>Total</b>	<b>1,308,026</b>	<b>1,969,121</b>	<b>1,794,961</b>	<b>2,720,778</b>	<b>2,969,084</b>	<b>3,068,737</b>	<b>3,364,589</b>	<b>3,364,589</b>
<b>Grants</b>	Actual 06	Actual 07	Actual 08	Actual 09	Actual 10	Actual 11	Budget 12	Budget 13
Commerce-One Call	15,931	15,903	8,938	6,278	15,348	12,884	6,000	6,000
VAWA	73,000	75,000	68,650	69,370	76,092	201,323	78,068	78,068
DOJ Financial Crimes	-	-	-	-	-	-	-	-
Rural Domestic Violence	-	-	-	-	-	-	-	-
Child Advocacy	-	-	-	-	-	-	-	-
NHTSA Odometer	-	-	-	-	-	-	-	-
COPS Grant	194,410	10,838	-	-	-	-	-	-
Emergency Management CIPA	-	-	-	-	-	-	-	-
Sears Grant	-	-	-	-	-	-	-	-
Tobacco Enforcement	-	-	-	803	719	-	-	-
Tobacco Enf Calls	756	857	-	-	-	-	-	-
IA Co Atty Case Mgmt - CJIS	-	-	69,628	-	-	-	-	-
Gov's Traffic Safety Bureau	161,470	165,778	181,218	177,510	165,821	206,926	195,500	195,500
ODCP - Drug Grant	18,000	17,000	15,357	19,926	8,405	-	-	-
ODCP - Drug/Children Grant	107,298	81,284	115,707	116,199	2,600	-	-	-
<b>Total</b>	<b>570,865</b>	<b>366,660</b>	<b>459,497</b>	<b>390,086</b>	<b>268,984</b>	<b>421,133</b>	<b>279,568</b>	<b>279,568</b>
<b>GRAND TOTAL</b>	<b>10,214,036</b>	<b>11,536,033</b>	<b>13,052,089</b>	<b>14,925,831</b>	<b>15,138,285</b>	<b>15,910,746</b>	<b>15,981,254</b>	<b>15,981,254</b>

# **Appendix F**

## **Fiscal Topics**





# Fiscal TOPICS

Published January 2012



## Department of Corrections Training

The Department of Corrections (DOC) and Community-Based Corrections (CBC) set training standards, and provide preservice, in-service, specialty, instructor certification, and on-the-job training. The CBC District Departments each have their own training policies and procedures, as approved by their local boards. Resources vary across the CBC District Departments. For example, the First (0.25 FTE), Fifth (0.50 FTE) and Sixth (1.00 FTE) CBC District Departments have staff training resources in-house while the other District Departments rely on local and state resources. The CBCs may attend Corrections Learning Center classes sponsored by the DOC, but are not required to do so. Refer to the **Fiscal Topic**, [Community-Based Corrections](#) for more information regarding CBC administration.

A limited amount of training is provided by other agencies, such as the Department of Administrative Services in the areas of procurement and personnel management.

The DOC oversees all statewide prison training through the Corrections Learning Center. Professional development training beyond the annual in-service mandatory training is dependent on funding availability. This **Fiscal Topic** focuses on training provided to the DOC employees.

### Background

The Corrections Training Academy was established in the early 1980s at the Mount Pleasant Correctional Facility. The Training Academy was created by the General Assembly and Governor Robert Ray in response to federal lawsuits regarding adequately trained staff in such areas as use of force, use of deadly force, sexual misconduct, suicide prevention, emergency response, and medical care. Properly trained staff reduces liability for the state, and provides a safe environment for staff, visitors, and offenders.

The Corrections Training Academy was housed in a lodge that provided on-site dormitory housing for new hires (trainees) plus on-the-job training for DOC staff, since the lodge was located by a prison. Over the course of time, the lodge needed extensive repairs to meet building and fire code standards. The DOC moved the Academy to West Des Moines in the early 2000s and broadened the curriculum provided to the DOC and CBC staff.

In FY 2003, the line item appropriation for the Academy was combined with the Central Office appropriation. The Corrections Training Academy was moved to the current location in the DOC Central Office in Des Moines in 2005 and was renamed the Iowa Corrections Learning Center in 2007. There are five FTE positions in Central Office dedicated to providing training to corrections staff. Another employee at the Iowa Medical Classification Center at Oakdale also provides statewide training. One goal for each institution is to have a training officer to mentor new staff, plus provide on-site training and documentation. However, due to budget restrictions, training officer duties have usually been combined with other duties, and one employee multitasks. The institutions have a total of 5.65 FTE positions dedicated to training distributed as follows: Fort Madison (1.00 FTE), Anamosa (0.50 FTE), Oakdale (1.00 FTE), Rockwell City (0.80 FTE), Clarinda (0.50 FTE), Mitchellville (0.85 FTE), and Fort Dodge (1.00 FTE). Newton and Mount Pleasant have no staff dedicated to training at this time due to budget restrictions.

### Preservice Training

All newly hired staff members are required to complete preservice training at the Corrections Learning Center. All preservice training is conducted in a classroom setting or is hands-on training. The four-week training curriculum covers such items as evidence-based practices and offender reentry, gender responsiveness, first aid, professional issues and code of conduct, legal issues, management of security threat groups, offender supervision and interpersonal communication, use of force, hands-on personal safety, sexual misconduct and offender victimization, diversity training, mental health and suicide prevention, emergency preparedness, report writing and offender rules and regulations, fire safety, con games, substance abuse, and searches.

Security staff members receive additional training regarding searches, personal safety, and escorts and restraints.

### More Information

Department of Corrections: <http://www.doc.state.ia.us/default.asp>

Iowa General Assembly: <https://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)



## Department of Corrections Training

All new staff members receive an additional 40 hours of on-the-job training at their hiring institution. Correctional officers receive additional training by partnering with an experienced correctional officer on a security post. The minimum standard for this mentoring is an additional 80 hours.

### In-Service Training

Staff has ongoing training needs to minimize liability because all staff has some level of contact with offenders. Training needs vary by job class and offender contact level. For example, a correctional officer in a security tower has different training needs than a correctional officer directly supervising offenders. Administrative employees do not have the same training needs as kitchen staff. The goal is to provide necessary and mandated training annually to all staff to reduce liability and ensure continued staff development.

Examples of annual training provided to staff include: correctional emergency preparedness, human relations, health services, staff and offender sexual misconduct, specialty teams, code of conduct and work rules, health and safety including Occupational Safety and Health Administration standards, personal safety, firearms, munitions, electronics and chemicals, treatment, instructor certifications, and security.

### Training Delivery

The DOC meets in-service training needs by classroom training, or electronic learning (eLearning). The eLearning method was implemented in January 2009 and is an interactive, computer-based model. Staff developed the training modules in-house to comply with state and federal mandated training while remaining within budgeted appropriations. The Learning Management System for eLearning was also developed in-house. The Learning Center provides all of the eLearning training statewide. The modules include all of the training listed previously, except for preservice, specialty teams, and treatment. These three topics are based in the classroom.

Approximately 50.0% of the training delivered in FY 2011 was provided by eLearning. However, the DOC has relied on eLearning in FY 2012 to increase the number of hours of training provided while reducing costs. About 70.0% of the training in FY 2012 will be delivered via eLearning. The DOC estimates FY 2012 overtime costs will be \$3.4 million less than FY 2011 costs. The majority of this reduction is due to fewer staff and greater reliance on eLearning.

In-service training via eLearning could be provided in a classroom but that option would likely increase overtime costs to provide staffing at the Institutions while employees are in training. ELearning is flexible inasmuch as employees can work through the modules while they are at their work stations at their own pace. On the other hand, eLearning forces staff to become comfortable with the use of computers. It is also difficult to complete a training module while monitoring a security post, especially if there is only one employee on shift. The DOC has responded by providing shift relief (relieving the staff from the post for a specific time period to permit eLearning). However, this option increases staffing costs and with budget restraints has become increasingly difficult.

There is a balance in delivering adequate training to reduce liability and provide a safe work and living environment in the Institutions while remaining within appropriated funds.

### Collaborative Efforts

The DOC provides sexual misconduct training to county jail staff and in exchange the Polk County Sheriff's Office provides space for personal safety training classes. The Department of Public Defense provides housing at a reduced rate (\$19 per night) for DOC trainees attending the preservice classes. Both the Iowa Law Enforcement Academy and the Iowa Department of Transportation have expressed interest in developing eLearning modules specific to the training needs of their staff based on the DOC eLearning model.

### Related Statutes and Administrative Rules

Iowa Code chapter [904](#)

Iowa Administrative Code [201 IAC](#)

## Community-Based Corrections Residential Facilities

Community-Based Corrections ([CBC](#)) provides a range of sanctions as an alternative to prison by supervising offenders within the community. The CBCs provide risk-management supervision where an offender's risk determines the supervision level. Supervision levels range from minimum (minimal contact to ensure compliance with court orders) to residential facilities (high-risk/needs offenders live in a community-based facility). This **Fiscal Topic** focuses on Residential Facilities. (Refer to the **Fiscal Topic**, [Community-Based Corrections](#) for more information regarding CBC services.)

### Residential Placement

Offenders may be placed in residential facilities by the court (probation, pretrial release, or the Operating While Intoxicated (OWI) statute), the Parole Board (parole or work release), the corrections continuum (Iowa Code Chapter [901B](#)), or by the U.S. Bureau of Prisons if a District Department has a contract to house federal prisoners. Residential facilities provide a structured environment for high-risk/needs offenders that include employment, financial management for court-ordered responsibilities, community service work, and participation in education and treatment programs. Other services may be provided if indicated by the risk assessment. There is an incentive system in place for offenders that rewards compliance privileges, such as furloughs.

Day reporting is also available within certain CBC District Departments. An offender may be ordered to a facility by the court or the corrections continuum, but placed on day reporting status. This option permits an offender to live at home while abiding by facility rules. This intermediate sanction frees up residential beds for higher risk offenders. The offender on day reporting may be sent back to the residential facility for noncompliance with rules.

### Programming

Offenders live at the residential facilities and must pay residential rent as determined by the CBC District Departments, and other court-ordered financial obligations such as victim restitution or child support. Offenders may access the following programs while housed at a CBC residential facility:

- The OWI Program is for offenders convicted of at least their second OWI offense. Offenders are sentenced to the Department of Corrections (DOC) and housed at a residential facility for substance abuse treatment. Treatment providers for this prison-diversion program are licensed by the Iowa Department of Public Health.
- Job readiness training.
- Individual and group counseling.
- Anger management and cognitive thinking.
- Referrals for substance abuse and/or mental health treatment.
- Sex offender treatment and Batterer's Education Programs.

In addition to the programs listed above, the Des Moines Women's Residential Facility has an eight-bed wing where women may have up to 12 children under age 5 reside with them.

### More Information

Department of Corrections: <http://www.doc.state.ia.us>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)



## Community-Based Corrections Residential Facilities

### Current Situation

There are 1,509 beds statewide and the facilities are usually at capacity. There is typically a waiting list of 800 offenders. The General Assembly has authorized construction of additional residential facility beds over the last several years. Some of the new facilities/additions have been constructed while others will be completed in the spring of 2012. The beds are not in use pending construction completion and appropriation of operating funds for:

- [First CBC District Department](#) – Waterloo – 45 beds for women and construction is completed.
- Third CBC District Department – Sioux City – 42 beds currently under construction; anticipated completion in March/April 2012.
- [Sixth CBC District Department](#) – Cedar Rapids – 26-bed ANCHOR Mental Health Treatment Center. Construction is completed and certain operating funds have been provided.
- Seventh CBC District Department – Davenport – 40 beds and construction is completed.
- [Eighth CBC District Department](#) – Ottumwa – 25 beds currently under construction; anticipated completion in March/April 2012.

### Budget Information

The DOC estimates FY 2013 General Fund costs at \$6.4 million to fund the operations and treatment costs of these 178 additional beds. This is in addition to any funds generated at the local level in the CBCs, such as offender rent. The estimate of \$6.4 million for the new CBC facilities cited above exceeds the FY 2011 average daily cost of \$66.88 for residential facilities because the estimate for the new beds includes additional treatment funding.

Residential facilities are the most expensive sanction on the CBC corrections continuum. The CBCs spent \$37.4 million on residential facilities in FY 2011. This is 37.5% of total CBC expenditures statewide. Local income covered about 26.0% of the operating costs at CBC residential facilities.

Average daily costs are calculated by dividing the average daily population served by the total amount spent, divided by 365 days. This calculation results in FY 2011 average daily costs of \$66.88 for CBC residential facilities as compared to \$81.83 for the prison system, a difference of \$14.95 (22.4%) per day.

Marginal costs are calculated by dividing the average daily population served by the total amount spent excluding personnel costs, divided by 365 days. The marginal daily cost (the cost to house one more offender for one more day) of a CBC residential facility is \$11.50. This compares to the marginal daily cost of \$15.59 for the State prison system. Offenders in CBC facilities pay rent and other fees to offset the operating costs. In FY 2011, 93.8% of the marginal costs for residential facilities were funded by local income.

Generally, the CBC District Departments rely on the General Fund appropriation to fund personnel costs of CBC residential facilities and local income to fund the support budget.

The DOC's FY 2013 capital budget request includes \$42.5 million to replace facilities and/or add beds in the [Second](#) (Ames), [Fifth](#) (Des Moines), and Eighth (Burlington) CBC District Departments.

### Research

Based on a literature review conducted by the Legislative Services Agency, the administration of Iowa's CBC system, including the residential facilities, is unique. The CBCs provide services to the State prison system (parole, work release, and the OWI program), county jails (residential facilities may serve as a jail), and court system (judges may order a probation offender to a CBC residential facility in lieu of prison). In most States, the court system oversees probation while the State corrections department oversees parole. Residential facilities may be State or county operated.

The [Criminal and Juvenile Justice Planning Division](#) of the Department of Human Rights recently issued a report entitled, [State Legislation Monitoring Report: FY 2011](#). The report includes discussion of residential facility waiting lists, length of time waiting for a residential bed, and locations of facilities.

The [DOC](#) recently issued a report, [Halfway Back](#) that explains how the Board of Parole and the DOC instituted an option to revoke offenders from parole to work release, rather than back to the State prison system. Those offenders revoked to work release residential facilities have a lower rate of new criminal convictions compared to other offenders returned to prison.

### Related Statutes and Administrative Rules

Iowa Code chapters [321J](#), [904](#), [904A](#), [905](#), [906](#), [907](#)

Iowa Administrative Code: [201 IAC](#), [205 IAC](#)



# Fiscal TOPICS

Published January 2012



## Budget Unit: State Fire Marshal's Office

BU Number: 5950R720001

### Purpose and History

The State Fire Marshal Division, established in 1911, is the oldest of the five divisions within the Department of Public Safety. The Office was created to collect statistics on fire in Iowa and to develop fire safety regulations. The State Fire Marshal's Office is comprised of four bureaus that promote and enforce fire safety regulations, building code provisions, and conduct arson investigations.

- [Fire Prevention Inspection](#) – Conducts fire safety inspection in Iowa schools, universities, jails, and nursing homes. The Bureau receives reimbursements from the Center for Medicaid/Medicare Services (CMS) for nursing home inspections.
- [Arson and Explosives](#) – Funding is primarily from the State General Fund. The Department is permitted to charge copying fees for case files to certain individuals.
- [Building Code](#) – Funding is primarily from the State General Fund.
- [Fire Service Training](#) – Funding is primarily from the State General Fund.

### Funding

The majority of funding (75.5%) comes from the State General Fund appropriation and the remainder is generated by reimbursements and fees that are retained by the Office to offset the costs of various activities. The following list outlines the various fees charged by the State Fire Marshal's Office.

#### **Fees deposited to the State General Fund:**

- **Aboveground Storage Tanks** – fees paid by storage tank owners used to defray the costs of licensing and inspection.
- **Commercial Explosives Licenses** – fees paid by licensees to help defray costs of monitoring commercial explosives.
- **Building Code Plan Review** – fees paid by architectural firms for the review of building plans and the money is deposited in the State General Fund.
- **Building Inspections** – fees paid by those building State-owned buildings, Regents buildings, and non-State owned buildings receiving a State appropriation.
- **Energy Review** – fees paid by builders.
- **Inspections of health care facilities, group homes, elder group homes, assisted living facilities, adult day services, and child care facilities** – fees paid by facilities for fire safety inspections.

#### **Fees retained by the Fire Marshal's Office:**

- **Fire Extinguishing System Contractor Certification** – fees paid by contractors in the fire extinguishing system industry used to defray costs of conducting the program.
- **Fire Suppression System Plan Review** – fees paid by architectural firms for the review of fire suppression systems.
- **Fire Alarm Plan Review** – fees paid by architectural firms for the review of fire alarm systems.
- **Manufactured Home Seal, Anchoring System, Licenses, and Certifications** – fees paid by manufactured home installers, retailers, manufacturers, or distributors.
- **Modular Home Seals** – fees paid by manufacturers.

### Related Statutes and Administrative Rules

Iowa Code Chapter [80](#)

Iowa Administrative Code Chapter [661](#)

#### **More Information**

Department of Public Safety – State Fire Marshal's Office: <http://www.dps.state.ia.us/fm/index.shtml>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

## **Budget Unit: Homeland Security and Emergency Management Division**

**BU Number: 5830R400001**

### **Purpose and History**

The Homeland Security and Emergency Management Division (HSEMD) began as the State Civil Defense Agency in 1965. The HSEMD is one of two divisions under the Iowa Department of Public Defense and its responsibilities include managing risk hazards with local and federal entities through mitigation, preparedness, response, and recovery initiatives. The HSEMD provides technical assistance, training, exercise facilitation, communications, and other support necessary for establishing and maintaining local capabilities. The HSEMD also serves as the coordinating entity that ensures consistency and compliance with various federal and state requirements and regulations.

### **Funding**

The HSEMD receives a State General Fund appropriation of approximately \$1.8 million that funds approximately 35.3 FTE positions. The majority of the money is used as a match for federal dollars. A reduction to the State General Fund dollars results in a dollar for dollar loss in federal money.

The Division receives hazard mitigation money from the federal government. Hazard mitigation is any action taken to reduce or eliminate risk of future damage, hardship, loss, or suffering from disasters. Under federal law, local jurisdictions are required to have a hazard mitigation plan in order to receive mitigation project funds. The Hazard Mitigation Grant Program (HMGP) was authorized under the Stafford Act, is implemented after any major Presidentially Declared Disaster, and is funded through the Federal Emergency Management Agency (FEMA). The HMGP cost share is as follows:

- Federal – 75%
- Nonfederal (State) – 10%
- Nonfederal (local) – 15%

### **Related Statutes and Administrative Rules**

Iowa Code chapter [29C](#)

Iowa Administrative Code: [605](#) IAC

### **More Information**

Homeland Security and Emergency Management Division: <http://www.iowahomelandsecurity.org/>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)



# Fiscal TOPICS

Published December 2011



## Budget Unit: Department of Public Defense Military Division

BU Number: 5820R310001

### Purpose and History

The Department of Public Defense Military Division is organized under the Army National Guard and the Air National Guard. The State mission is the same for both the Army and Air National Guards and requires both to be trained and equipped to protect life and property, and to preserve peace, order, and public safety within Iowa borders. The federal mission of the Army National Guard is to provide units of the Reserve Components of the Army for mobilization in the event of national emergency or war that are capable of participating in combat operations in support of the Army's war plans. The federal mission of the Air National Guard is to provide trained units available for active duty in the United States Air Force in time of war or national emergency.

The Air National Guard began in Iowa in 1941 and has three locations: Camp Dodge in Johnston (132nd Fighter Wing), Des Moines International Airport (185th Air Refueling Wing), and Colonel Bud Day Field in Sioux City (133rd Test Squadron). The Army National Guard began in Iowa in 1838 as the Iowa Territorial Militia and is headquartered at Camp Dodge in Johnston.

### Funding

Approximately 97.0% of the funding received by the Military Division is from the federal government and the remaining 3.0% is from State funds. The General Fund appropriation for the Military Division is used to match federal funds at several different rates (25.0%/75.0%; 15.0%/85.0%; 50.0%/50.0%). In recent years, rather than losing federal funds due to a reduction in State General Fund dollars due to across-the-board reductions, federal funds have been shifted to projects that qualify for 100.0% federal funding. However, this has resulted in some facilities being maintained better than others.

### Federal Cooperative Funding Agreements for Service Operations and Maintenance Agreements

These agreements between the federal government and Iowa provide for maintenance and operation of authorized facilities. The agreements provide for the joint sharing of annual costs at various rates ranging from 10.0% to 50.0%, for the Iowa portion. Under the terms of the agreements, Iowa pays the costs and is reimbursed a percentage ranging from 50.0% to 100.0%. Service agreements provide reimbursements to Iowa for operating and maintenance costs incidental to the following installations:

- Des Moines Air National Guard Base
- Sioux City Air National Guard Base
- Fort Dodge Air National Guard Base/Communications Site
- Armories constructed on federal land
- Facilities in support of the federal mission

Training site facilities for operation and maintenance receive federal reimbursement for costs in connection with annual field training and weekend training for the Iowa National Guard.

The Air National Guard Security Guard contract authorizes Iowa to provide security and law enforcement for Air National Guard facilities located at Des Moines and Sioux City. Expenses are paid by the State and reimbursed 100.0% by federal funds.

### More Information

Department of Public Defense: <http://www.iowanationalguard.com/>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

## **Budget Unit: Department of Public Defense Military Division**

### **Military Division Standing Unlimited General Fund Appropriation**

Iowa Code section 29A.29 provides for payment of compensation to Iowa military personnel and expenses of Iowa military forces as authorized in Iowa Code section 29A.27 from the State treasury if not otherwise appropriated.

### **National Guard Facilities Improvement Fund**

The Fund was established effective July 1, 1981 (FY 1982). Revenue in the Fund comes from the operation or leasing of facilities located at Camp Dodge and the sale of real estate belonging to the Department of Public Defense. The Fund can only be used for construction, improvement, modification, maintenance, and repayment of National Guard facilities. The Fund cannot be used for the construction of new armories without prior approval of the General Assembly.

### **Military Operations Fund**

The Fund was established effective July 1, 1981 (FY 1982). Revenue in the Fund comes from rental proceeds from leasing armories when the lease does not interfere with the use of the armory for military purposes. Each armory has an account for deposit of armory rent revenue. The revenue credited to each account is for maintaining, improving, and repairing the armory facility and utility payments.

### **Major Maintenance Fund**

The Fund receives appropriations from the Rebuild Iowa Infrastructure Fund and is used for facilities as major maintenance needs arise.

### **Capital Improvement Requests**

Capital requests are for specific projects that could not be handled by funds appropriated to the Major Maintenance Fund such as a completely new facility or major renovation of a specific facility. Funds have been appropriated from the Rebuild Iowa Infrastructure Fund.

### **Related Statutes and Administrative Rules**

Iowa Code chapter [29A](#)

Iowa Administrative Code: [611 IAC](#)



# Fiscal TOPICS

Published November 2011



## Community-Based Corrections

Community-Based Corrections (CBC) is an alternative to incarcerating persons convicted of criminal offenses. This includes persons on pretrial release, probation, or parole that reside in the community under the supervision of a CBC District Department and participate in treatment programs.

### History

Until the 1960s, parole and work release offenders were the responsibility of the Office of the Chief Parole Officer within the Department of Social Services. The Department was later split into the Department of Human Services and the Department of Corrections (DOC) by the 1983 General Assembly.

For probation, in the past, judges assigned adult probationers to the supervision of the Chief Parole Officer, under the control of the Executive Branch, or the probationers were assigned to a local program or the supervision of a private citizen, retaining the supervision of the offenders under the control of the Judicial Branch.

Through the late 1960s and early 1970s, federal grants were available to establish community corrections programs, and programs began to develop primarily in Iowa's urban areas.

In 1973, the General Assembly enacted SF 482 (Community-Corrections Act) and SF 66 (Work Release Act) furthering the development of the CBC system. Community-Based Corrections is locally administered within the eight judicial districts. Policy and program development is primarily locally controlled.

In 1977, the General Assembly enacted SF 112 (Community-Based Corrections Act) creating Iowa Code Chapter 905 that provides the current administrative structure. The Act placed pretrial, presentence, probation, and pre-Institution residential services under the CBC District Departments.

Pursuant to Iowa Code Chapter 905, each CBC District Department is a separate agency under the direction of a board of directors and is administered by a director employed by the board. The CBC staff members are considered State employees only for the purposes of collective bargaining.

Each CBC board sets policy, approves budget requests for submission to the Board of Corrections, and oversees program operations. In addition, each CBC District Department has one or more advisory committees.

The DOC has regulatory responsibilities for CBC programs, including statewide planning, budget oversight, establishment of program guidelines, and development of performance measures.

During the 1983 Session, SF 464 (Department of Corrections Act) created the current correctional system. All postinstitution adult offender supervision (parole and work release) was assigned to the CBC District Departments, with oversight provided by the DOC.

The General Assembly appropriates funds to the DOC and allocates those funds to each CBC District Department. The combined FY 2011 General Fund actual appropriations were \$78.5 million for all eight CBC District Departments. The FY 2012 estimated General Fund appropriations total \$78.8 million.

### Programming

Iowa Code Chapter 901B provides intermediate criminal sanctions for correctional supervision. In Level One sanctions, offenders are not supervised by CBC District Departments. Offenders are placed on unsupervised probation, and report to the Court rather than a CBC District Department.

Iowa Code Chapter 901B provides a continuum of supervision levels within the CBC District Departments. The Chapter permits the CBC District Departments to move the supervision level along the continuum, from monitored sanctions, such as low-risk diversion programs, to short-term incarceration such as residential facilities. The Chief Judge of each judicial district approves the Intermediate Criminal Sanctions Plan.

Iowa Code Chapter 907 permits CBC District Departments to discharge probation offenders if certain conditions are met.

### More Information

Department of Corrections: <http://www.doc.state.ia.us>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

### Major Programs

- Probation and Parole – uses community supervision as an alternative to incarceration in prison.
- Treatment Alternatives for Safer Communities Program (TASC) – provides coordination between the criminal justice system and the substance abuse treatment system. This program was funded statewide in FY 1989. Due to budget reductions, the program is only operated by the Sixth CBC District Department as part of its ANCHOR Center.
- Intensive Supervision – monitors high-risk offenders more frequently than regular probation supervision. Every CBC District Department provides Intensive Supervision, however, it may not be available in every county.
- Day Programming – teaches a variety of life skills through an intensive, treatment-oriented program that structures the offender's activities. This program is available in the Fifth CBC District Department.
- Day Reporting – provides additional life skills programming for offenders that report to the residential facilities but are not housed there. All of the CBC District Departments offer this program.
- Drug Court – targets high-risk offenders in a program that blends accountability, treatment, and rehabilitation under the authority of the court. This program is available in seven of the eight CBC District Departments, although it is not available in every county in those judicial districts.
- Youthful Offender Program – targets 16- to 21-year-olds that have been adjudicated as adults. The program provides substance abuse treatment, and teaches a variety of life skills. This program is available in the Fifth CBC District Department.
- Domestic Abuse Batterer's Program – uses group counseling and education for men and women that abuse partners. All of the CBC District Departments offer this program.
- Sex Offender Treatment Program – provides treatment through group counseling and education combined with intensive supervision and electronic monitoring of offenders that commit sex crimes. All of the CBC District Departments offer this program.
- Community Work Crew Program – operates as a restorative justice program in the Fourth, Fifth, and Sixth CBC District Departments to perform work projects that benefit local governments and nonprofit organizations.
- Low Risk Probation – uses a fast-track system that removes the majority of low-risk offenders from mainstream probation workloads and assigns them to "banked" caseloads. All of the CBC District Departments bank some cases.
- Community Service Sentencing – requires offenders to perform a specified number of hours of community service as an alternative to incarceration or a fine. This sentencing option is available across the State.
- Operating While Intoxicated (OWI) – diverts certain OWI offenders from State prison to residential facilities operated by the CBC District Departments. This program was established by SF 469 in 1987.
- Presentence Investigations – aids the court in determining appropriate sentences and alternatives. All of the CBC District Departments provide this service to the court and corrections system.
- Pretrial Release – serves as an alternative to the traditional bail bond system where the accused is released from jail pending trial under the supervision of the CBC District Departments. The CBC District Department monitors the person's whereabouts and ensures their court appearance. All of the CBC District Departments provide this service to the counties.
- Electronic Monitoring – uses a bracelet with a specially equipped telephone to monitor an offender. There are several systems including voice verification, radio frequency, video display, global positioning system (GPS), and alcohol sensor. The Fifth CBC District Department receives funding within the State appropriation to provide a command center and the bracelet technology. All of the CBC District Departments use electronic monitoring, primarily for sex offenders.
- Mental Health Services - provides coordination between the criminal justice system and the mental health treatment system. There are several pilot projects as well as specialized caseloads across the State.

### Residential Facilities

The CBC District Departments operate residential facilities as an intermediate sanction for high-risk offenders on parole, work release, OWI, or probation. Some CBC District Departments also contract with the U.S. Bureau of Prisons to house federal prisoners. The facilities are usually at capacity. Statewide capacity is 1,509 beds. There is typically a waiting list of approximately 700 offenders.

### Statistics

The CBC District Departments have responsibility for approximately 76.9% of the offenders under correctional supervision while they have approximately 28.3% of the total DOC staff. In FY 1990, the CBCs supervised 81.5% of the offenders, but by FY 2011, the percentage had declined to 76.9%. Between FY 1990 and FY 2011, the prison population increased from 3,842 to 8,787 inmates, an increase of 4,945 (128.7%) inmates. Over the same time period, the CBC population grew from 16,905 to 29,205 offenders, an increase of 12,300 (72.7%) offenders.

### Potential Population Growth and Budgets

The Criminal and Juvenile Justice Planning Division of the Department of Human Rights does not forecast the CBC populations. The following information was prepared using average annual percentage growth rates. The average annual growth rate for the CBC population since FY 2001 (10-year average) has been 0.9%. Using this average annual rate of growth, the CBC population will include approximately 31,975 offenders by the end of FY 2021, an increase of 2,770 offenders, or 9.5%.

If the CBC population reaches 31,975 offenders in 10 years, the General Fund appropriation will need to increase to maintain the current level of service. Assuming the budget increases at the same rate as the CBC offender population, by FY 2021, the CBC District Departments will need a budget of approximately \$86.2 million, an increase of \$7.5 million (9.5%) compared to the estimated FY 2012 General Fund appropriation.



## Budget Unit: Department of Public Safety Administrative Services Division

BU Number: 5950R640001

### Purpose and History

The Administrative Services Division provides support services to the Iowa Department of Public Safety as well as direct services to criminal justice agencies statewide. This Division is currently comprised of three bureaus:

- [Commissioner's Office](#) – provides the command and control of the Department of Public Safety. The budget for the Commissioner's Office is included within the Administrative Services Division appropriation.
- [Program Services Bureau](#) – administers the Private Security/Private Investigative/Bail Enforcement Agency Licensing and Employee Identification Program, coordinates weapons permitting statewide, and collects data via the incident-based reporting system for the Uniform Crime Report.
- [Technology Services Bureau](#) – coordinates the computer-related needs by providing, maintaining, and securing the data and telecommunications infrastructure for the Department through data processing, office automation services and inter-system communication. The Bureau also provides services to the statewide law enforcement community through the Iowa On-line Warrants and Articles (IOWA) System. The IOWA System is a computer network that provides access to a wide variety of information for police departments, sheriff's offices, Iowa courts, county attorneys, federal law enforcement agencies and various other criminal justice and public safety agencies throughout Iowa. Such data includes wanted and missing persons, stolen vehicles and articles, protective orders, sex offenders, motor vehicle registration files, driver's license records, and criminal history records. In Iowa, 169 agencies with approximately 3,000 actual computer terminals have IOWA System access.
- [Finance Bureau](#) – provides financial services. This includes preparation of the Department's annual budget request, accounting services including claims processing and purchasing, payroll, and human resource services. The Finance Bureau also prepares monthly financial statements reflecting the estimated financial position for each of the Divisions. In addition, the Bureau administers the Peace Officers' Retirement, Accident, and Disability System.

### Funding

Approximately 68.0% of the funding for the Administrative Services Division is received from the State General Fund appropriation. An additional \$1.5 million (25.0%) is received through fees charged to criminal justice agencies at the municipal, county, State, and federal levels for the connectivity provided to the IOWA System and the National Criminal Information Center (NCIC) System. The fees charged reimburse the Technology Services Bureau for the costs of providing data lines, routers, and security for the submission of criminal history information and the query capability of all criminal and traffic records. The fees charged also cover the salaries of the employees maintaining the system and providing the training to dispatchers and other users of the information. The fees are based in part on the type of connection that the jurisdiction uses and on the number of messages associated with their account.

### More Information

Budget Schedules and Related Documents

Department of Public Safety: [Department of Public Safety, Administrative Services Division](#)

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

## Department of Public Safety Administrative Services Division

The Division also receives licensing and permitting fees for Private Investigative/Private Security agencies and weapons permits. The fees collected reimburse the Division for the costs of producing and disseminating weapon permit forms, identification cards, and the nationwide criminal history check conducted through the FBI as well as the costs of providing guidance to sheriff's offices and federal firearms licensees regarding the application of Iowa Code Chapter 724 and United States Code Chapter 18.

### Other States

Fee structures for NCIC connectivity vary widely from state to state. Most have some mechanism that measures the level of activity, whether the number of terminals used, the number of messages, or the number of trained users. Most also have some sort of a flat fee component to ensure that fixed costs are covered to some extent by a consistent revenue stream. In a few states, the General Assembly appropriates funding for 100.0% of the operations.

### Related Statutes and Administrative Rules

Iowa Code Chapter [80](#)

Iowa Administrative Code: [661 IAC](#)



## Budget Unit: State Peace Officers Council Sick Leave Payout

BU Number: 5950R760001

### Purpose and History

Peace officers in the Department of Public Safety (DPS) are entitled to utilize the value of their accumulated and unused sick leave at retirement for the payment of health and/or life insurance. Employees covered by the State Police Officers' Council (SPOC) collective bargaining agreement are provided the benefit through Article XI, Section 8, paragraph E of the SPOC agreement. Supervisors not covered by the collective bargaining agreement, are granted the same benefit through Code Sections 70A.1(b)(4) and 70A.23(4) and further defined in 11 Iowa Administrative Code, Chapter 64, Rule 16.

The value of an employee's sick leave bank is determined by multiplying the hourly rate of compensation at the time of retirement by the accumulated and unused hours of sick leave credited to the employee. This value is credited to an employee's account and used to pay the costs of health and/or life insurance until the account is exhausted. Peace officer employees may utilize their sick leave bank for continuation of a state group insurance plan, or may utilize the sick leave bank for payment of premiums through another carrier. If the retired peace officer passes away before the sick leave bank is exhausted, any remaining value is transferable to a surviving spouse for the payment of health and/or life insurance premiums of the spouse and any dependent children. If the spouse predeceases the officer and there are no dependent children, the value of the sick leave bank is considered exhausted.

For officers in the DPS, the payment of premiums is made on a cash basis (at the time the premiums are due) rather than on an accrual or fully funded basis. Prior to FY 2001, there was no reserve fund in existence for payments. The DPS had been setting aside money to "fully fund" the liability for the sick leave bank of employees that were believed likely to retire only to have the employee elect to retire at a later date. This resulted in funds being set aside that could not be used for other critical needs and subsequently reverted to the General Fund. In FY 2002, a separate appropriation was established utilizing appropriations diverted from the Iowa State Patrol budget to provide a regular funding stream for these expenses on a cash basis.

### Funding

In FY 2010, the monthly premiums averaged \$64,899 and the annual expense was \$779,000. Actual expenses for the fiscal year ended June 30, 2011, increased to \$824,275. The following chart shows the history of the General Fund appropriation. Money in the Fund is permitted to carry forward and interest earned is permitted to remain in the Fund. Decreases to this appropriation have resulted from across-the-board reductions. The difference between the appropriation and the actual expense must come from the operating budgets of the divisions of the retiring peace officers.

State Peace Officers Council Sick Leave Payout General Fund Appropriation										
FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
\$285,258	\$272,421	\$211,242	\$316,179	\$316,179	\$316,179	\$316,179	\$316,179	\$279,517	\$279,517	\$279,517

### Related Statutes and Administrative Rules

Iowa Code chapter [70A](#) and [80](#)

Iowa Administrative Code: [11 IAC](#) and [661 IAC](#)

### More Information

Budget Schedules and Related Documents  
Department of Public Safety: <http://www.dps.state.ia.us/>  
Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)



# Fiscal TOPICS

Published October 2011



## Judgeships

There are currently seven Supreme Court Justices, nine Court of Appeals Judges, and 189 full-time judges in the District Courts.

**Supreme Court** – The Supreme Court consists of one Chief Justice and six Justices. The Court has general appellate jurisdiction for criminal and civil cases, and exercises supervisory and administrative control over the Iowa court system pursuant to Article V, Constitution of Iowa. All appeals from the District Courts are filed in the Supreme Court, which determines the cases it will refer to the Court of Appeals and which ones it will decide without referral. The Court also has discretion to accept applications for further review of decisions by the Court of Appeals.

**Court of Appeals** – The Court of Appeals consists of one Chief Judge and eight Associate Judges. Working primarily in panels of three, the Court hears cases referred by the Supreme Court.

**District Courts** – Iowa has a unified trial court system, referred to as the District Courts. There is one District Court in each county (two in Lee County) and the counties are organized into eight judicial districts. Each district has a Chief Judge. The District Courts handle all types of civil, criminal, juvenile, and probate cases. In addition, there are six types of judgeships with differing levels of jurisdiction. These include:

- **District Court Judges.** There are currently 116 District Court Judges that handle all types of cases, including civil, criminal, domestic relations, juvenile, and probate. Although Code Section 602.6201(3) authorizes the Supreme Court to determine the number of District Judges needed by using a caseload formula that accounts for case-related works, administrative duties, and travel time, Code Section 602.6201(10) has limited the number of District Court judges to 116 since July 1, 1999. When a district court judgeship position becomes vacant and there is evidence of a substantial disparity in district judge resources among the judicial districts, the Judicial Branch has the authority to move a district court judgeship position to a different judicial district if the move is approved by the Judicial Council.
- **District Associate Judges.** There are currently 62 District Associate Judges that handle serious and aggravated misdemeanors, Operating While Intoxicated (OWI) felonies, civil actions involving \$10,000 or less, juvenile cases, and anything a Magistrate can handle (see below). The number of district associate judges is determined by a statutory formula based on the population of a county (Code Section 602.6301). Code Section 602.1302 also allows for the conversion of three part-time judicial Magistrate positions into one full-time district associate judgeship.
- **Associate Juvenile Judges.** There are currently 10 Associate Juvenile Judges that handle only juvenile matters, including delinquency proceedings, children in need of assistance, abuse and neglect, and termination of parental rights proceedings. The number of judges is not determined by a formula. These positions used to be referred to as juvenile court referees. Some were full-time and some were part-time. Eventually, the full-time positions became Associate Juvenile Judges. Most serve multiple counties in a judicial election district. As these judges retire, they are being replaced with District Associate Judges.
- **Associate Probate Judge.** There is currently one judge located in Polk County. This judge is authorized to handle only probate cases.
- **Senior Judges.** There are currently 40 Senior Judges that work a minimum of 13 weeks or one-fourth of the year. They are assigned temporary judicial duties within the Court as needed. A Senior Judge must retire at the end of a twelve-month period when the Judge attains 78 years of age.
- **Magistrates.** There are currently 152 Magistrates that are part-time judicial officers. Magistrates can handle simple misdemeanors, small claims (\$5,000 or less), mental health commitment proceedings, initial appearances in any criminal case, and search warrants. Of the 206 part-time magistrate positions, 54 have been exchanged for 18 full-time District Associate Judge positions (three for one exchange) leaving the remaining 152 magistrates. Pursuant to statute, each county has at least one magistrate and the State Court Administrator is required to reallocate magistrate positions among the counties every four years. There is no specific numeric formula for allocating magistrate positions, but the State Court Administrator is required to consider population and caseload.

### More Information

Iowa Judicial Branch: <http://www.iowacourts.gov/>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)

**Salaries**

Judicial salaries are set by the General Assembly pursuant to Code Section 602.1501. The following chart shows the salaries for all judgeship positions.

<b>FY 2012 Judicial Salaries</b>		
Chief Justice of the Supreme Court	\$	170,850
Supreme Court Justice		163,200
Chief Judge of the Court of Appeals		153,000
Associate Judge of the Court of Appeals		147,900
Chief Judge of a Judicial District		142,800
District Judge		137,700
District Associate Judge		122,400
Associate Juvenile Judge		122,400
Associate Probate Judge		122,400
Judicial Magistrates		37,740
Senior Judges		8,160





## Budget Unit: Legal Services Poverty Grants

BU Number: 1120B110001

### Purpose and History

Current law requires the Office of the Attorney General to contract with a nonprofit corporation to provide legal counsel to indigent people in civil matters. The Attorney General's Office contracts with Iowa Legal Aid for services. The Legal Services Poverty Grants Program was first funded by Iowa in FY 1997 with a \$950,000 General Fund appropriation to offset federal reductions to the Legal Services Corporation (LSC).

### Legal Services Corporation

The LSC provides civil legal services to people in poverty, defined persons with income up to 125.0% of the Federal Poverty Level (FPL). The LSC is a federally-chartered corporation that is headquartered in Washington, D.C. and has an 11-member Board of Directors. Directors serve staggered terms, are nominated by the President of the United States, and confirmed by the Senate. The corporate charter is at the federal level while each State has a non-profit entity to receive and administer funds and provide legal services. The LSC receives federal appropriations that are distributed to the States' nonprofit entities as legal services poverty grants based on US Census data for low-income residents. The LSC contracts with [Iowa Legal Aid](#) to provide legal representation for low-income Iowans.

### Iowa Legal Aid

Iowa Legal Aid was formed by the merger of The Legal Aid Society of Polk County and the Legal Services Corporation of Iowa in FY 2003. It serves all 99 counties in Iowa, with ten offices located in Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Mason City, Ottumwa, Sioux City, and Waterloo. Iowa Legal Aid operates a Volunteer Lawyers Project to provide free services to clients in 96 counties. The Pro Bono Project of Scott/Clinton Counties and the Polk County Bar Association Volunteer Lawyers Project handle cases from those three counties. Iowa Legal Aid works closely with these pro bono projects as well as law schools and local and State Bar Associations.

The [Iowa Legal Aid Board](#) meets at least four times per year to oversee the operations of Iowa Legal Aid and set priorities for services. The 18-member board has representatives from across Iowa. The main priorities include: protecting victims of domestic violence, preventing illegal evictions and unsafe housing, securing income support such as Medicaid and disability benefits, and preventing consumer fraud and abusive debt collection practices.

### Funding and Statistics

Iowa Legal Aid receives funds from a variety of sources, including federal grant awards through LSC, state grant awards through a contract with the Office of the Attorney General, donations such as United Way, other federal funds, and fund raising by the [Iowa Legal Aid Foundation](#).

Iowa Legal Aid receives funds from the [Interest on Lawyer's Trust Account](#) administered by a seven-member commission that makes recommendations to the Iowa Supreme Court. The available funds are generated by interest earned on certain pooled accounts held by lawyers. Attorneys are required by court order to deposit clients' funds being held by the lawyer into interest-bearing accounts. Funds that are so small or held for such a brief time that it is not possible for the funds to economically benefit the individual client are required to be deposited in pooled interest-bearing trust accounts. Receipts have decreased due to declining interest rates, so grant awards have decreased as well.

Iowa Legal Aid also receives funds from the Civil Reparations Trust Fund. Iowa Code [Section 668A.1\(2\)\(b\)](#) requires awards for punitive or exemplary damages that arise from claims that are not willful, wanton, or specifically directed at the claimant to be divided between the claimant (25.0%) and the Civil Reparations Trust Fund (75.0%). The Fund is used for indigent civil litigation or insurance assistance programs. The Fund is administered by the State Court Administrator and awards are granted by the Executive Council. This is not a stable funding source and grant awards vary significantly from year to year.

Most of the cases staffed by Iowa Legal Aid involve legal issues in State court or before government agencies. Approximately 70.0% of the primary clients of Iowa Legal Aid are women. About 35.0% of the cases are family law matters with most involving domestic abuse. Nearly 20.0% of the clients served are older Iowans and most of these are women. Approximately 10.0% of cases involve income support programs, with most of the cases involving Supplemental Security Income or Social Security Disability benefits. About 30.0% of the cases involve consumer, housing, or individual rights issues.

**Related Statute:** Iowa Code Chapter [13.34](#)

### More Information

Office of the Attorney General: <http://www.state.ia.us/government/ag/index.html>

Iowa State Bar Association: <http://www.iowabar.org/>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)



## Budget Unit: Department of Corrections: State Criminal Alien Assistance Program

BU Number: 23800000185

### Purpose and History

The Office of Justice Programs within the [Bureau of Justice Assistance](#) of the U.S. Department of Justice administers the State Criminal Alien Assistance Program (SCAAP) in cooperation with the [Bureau of Immigration and Customs Enforcement \(ICE\)](#) and [Citizenship and Immigration Services](#) of the federal Department of Homeland Security. The SCAAP reimburses states and local jurisdictions for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of State or local law that are incarcerated for at least four days.

### Application Process

All 50 states, the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands, and cities and counties with correctional facilities are eligible to apply. Eligible jurisdictions submit applications to the [Office of Justice Programs](#), and include correctional officer salary costs (excluding benefits), the number of eligible inmates and the number of days each was held, and inmate information. The Office of Justice Programs transmits the applications to the U.S. Department of Homeland Security for verification of the number of eligible inmates and to update the criminal alien database. The Bureau of Justice Assistance makes grant awards to jurisdictions based on the number of eligible applicants as determined by the Department of Homeland Security, costs submitted, and the amount of funds awarded by the U.S. Congress. Grant awards may be prorated based on available funding. Nationally, grants to states and local jurisdictions have been decreasing.

### Grant Awards and Use of Funds

The Bureau of Justice Assistance awarded approximately \$324.0 million to eligible jurisdictions in FFY 2010. Grant awards must be used for correctional purposes only, and may be used for correctional officer salaries, overtime costs, workforce recruitment and retention, construction, training of offenders, training of correctional officers related to offender population management, consultants, medical and mental health services, vehicle rental or purchase for transport of offenders, prison industries, prerelease or reentry programs, technology for offender management or interagency information sharing, and disaster preparedness.

The Iowa [Department of Corrections](#) (DOC) uses its grant awards for overtime and training for correctional officers related to offender population management, corrections workforce recruitment and retention, training and education of offenders, and technology for offender management or interagency information sharing. Federal SCAAP receipts to the DOC have been trending downward over the last several years, with the current grant award estimated to be approximately \$500,000. Future receipts are anticipated to be less than previous years, due to budget reductions at the federal level.

Iowa counties that have recently received SCAAP awards include Black Hawk, Mahaska, Scott, Story, Crawford, Jefferson, Johnson, Davis, and Woodbury. The total amount received by these nine counties was approximately \$141,500, and ranged from a low of \$338 (Davis County) to a high of \$51,000 (Woodbury County).

There is a time lag between submitting applications, reporting data, and receiving federal funds. Applications for FFY 2011 were due in June 2011 (State FY 2011) for grants scheduled to be received after October 2011 (State FY 2012), based on data from the reporting period of July 1, 2009, through June 30, 2010 (State FY 2010).

### Related Statutes

Iowa Code Chapters [356](#) and [904](#)

### More Information

U.S. Department of Justice: <http://www.justice.gov/>

U.S. Department of Homeland Security: <http://www.dhs.gov/index.shtm>

LSA Staff Contact: Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)



# Fiscal TOPICS

Published October 2011



## Budget Unit: Iowa State Patrol

BU Number: 5950R750001

### Purpose and History

The [Iowa State Patrol](#) was created by the 46th General Assembly in 1935 with 53 safety patrol officers. In the late 1990s, the State Patrol had as many as 455 sworn peace officers and approximately 357 were considered "road troopers." As of June 30, 2011, there were 372 enforcement officers in the State Patrol. This includes 270 troopers, eight trooper pilots, four canine handlers, and 14 motor carrier safety officers. There are currently 12 district State Patrol posts across Iowa in addition to the Vehicle Theft Unit and Post 16 stationed at the State Capitol Complex. There are 42 sergeants in the 12 State Patrol Posts.

### Funding

Between FY 1982 and FY 1995, the State Patrol was funded directly from the Road Use Tax Fund. From FY 1996 to FY 1999, the State Patrol was funded from motor vehicle use tax receipts and in part from General Fund appropriations. Since FY 2000, the State Patrol has been funded from the State General Fund.

The State Patrol General Fund appropriation comprises approximately 64.0% of the total Department of Public Safety (DPS) General Fund appropriations. In addition, the State Patrol may, at the discretion of the Commissioner, receive funding from either State or Federal Asset Forfeiture Funds, based on the availability of moneys in either account. These funds have traditionally been used for the purchase of equipment. The State Patrol also receives federal money through programs such as the Motor Carrier Safety Assistance Program and the National Highway Traffic Safety Administration's traffic safety programs.

For FY 2012, the State Patrol has approximately \$1.8 million budgeted annually in a depreciation account to purchase approximately 100 cars per year, or about one-fourth of the fleet. Because Ford Motor Company has discontinued the production of the Crown Victoria as a police cruiser, the State Patrol is exploring options with the big three automakers, each of whom will have a police package. The price of the police package will be one of several considerations in the selection. Historically, the State Patrol has tried to limit using vehicles with over 100,000 miles, although recent State Vehicle Dispatch guidelines require enforcement vehicles to be driven 108,000 miles before auction. In one year, the average trooper will drive approximately 30,000 miles. The total miles driven in one calendar year by the State Patrol averages approximately 10.6 million miles, using approximately 733,000 gallons of fuel. The DPS does not pay State or federal taxes at the pump. Taxes total an additional \$0.374 per gallon of 10.0% ethanol blended gasoline (\$0.19 State and \$0.184 federal).

The State Patrol also has seven airplanes. There is no depreciation account established for the purchase of airplanes. The life span of a typical State Patrol airplane averages 10,000 hours, or approximately 15 years. The State Patrol also budgets approximately \$140,000 for aviation fuel and maintenance.

### Other States

Other states use a variety of organization structures for their State Patrol. Some include the State Patrol function within an umbrella "DPS" type agency, some include the State Patrol as part of either the Department of Transportation or the Department of Public Defense, and some have an independent State Patrol agency. Some states have a "state police" model, such as Illinois, where every officer starts as a trooper and can only later become an agent/investigator/drug agent within the organization. States that are comparable to Iowa are [Minnesota](#), [Colorado](#), [Arizona](#), and [Alabama](#).

### Related Statutes and Administrative Rules

Iowa Code chapter [80](#)

Iowa Administrative Code: [661 IAC](#)

### More Information

Budget Schedules and Related Documents

Department of Public Safety Iowa State Patrol: <http://www.dps.state.ia.us/ISP/index.shtml>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)



## Budget Unit: Undercover Funds

BU Number: 5950R690001

### Purpose and History

Undercover money appropriated by the General Assembly to the Department of Public Safety is used to purchase small amounts of narcotics in an effort to build intent to deliver cases and to discover or build larger conspiracies to deliver controlled substances cases. The second use for undercover money is to pay confidential informants for information relative to an ongoing investigation. The State money is also used as a soft match when federal funds become available.

### Funding

The Division of Narcotics Enforcement (DNE) serves as the administrator of Office of Drug Control Policy (ODCP) undercover funds. A percentage of the funds support undercover operations and the remainder is distributed to local drug task force operations through the State. Undercover funds are received primarily from a State General Fund appropriation and are used to match ODCP funds. The annual General Fund appropriation for undercover funds began in FY 1991 at \$275,000. This amount has steadily been decreasing and is currently at \$109,000.

The following chart shows federal Byrne-Justice Assistance Grant (JAG) money used by local law enforcement and the amount of State match.

	Byrne-JAG	State Match	Total
FY 2008	\$ 157,380	\$ 52,460	\$ 209,840
FY 2009	\$ 65,962	\$ 21,987	\$ 87,949
FY 2010	\$ 200,000	\$ 66,667	\$ 266,667
FY 2011	\$ 201,000	\$ 67,000	\$ 268,000
FY 2012	No undercover funds available from Byrne-JAG funding.		

In FY 2008 and FY 2009, all the Byrne-JAG funding was used by local law enforcement. In FY 2010, the DNE used \$40,000 (20.0%) of the Byrne-JAG funding. In FY 2011, the DNE used \$33,000 (16.4%) of the Byrne-JAG funding. For FY 2012, no Byrne-JAG funding for undercover funds is anticipated from the federal government.

### Related Statutes and Administrative Rules

Iowa Code chapter [80](#)

Iowa Administrative Code: [661 IAC](#)

### More Information

Budgets and Schedules

Department of Public Safety: <http://www.dps.state.ia.us/DNE/index.shtml>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Jennifer Acton (515-281-7846) [jennifer.acton@legis.state.ia.us](mailto:jennifer.acton@legis.state.ia.us)



## Budget Unit: Office of the Consumer Advocate

BU Number: 1140B070019

### Purpose and History

The [Office of the Consumer Advocate](#) (OCA) is a separate division of the Attorney General's Office. The OCA was created in 1983 to represent Iowa consumers and the public interest with the goal of maintaining safe, reliable, reasonably priced, and nondiscriminatory utility services for all consumers while informing and educating the public on issues related to utilities. See the [Fiscal Topic Office of the Attorney General](#) for more information regarding statutory and constitutional responsibilities of that Office.

The OCA reviews and investigates regulated services provided to Iowa consumers by gas and electric utilities to ensure services are reliable, adequate, and provided at a reasonable cost. Office staff appears before the Iowa Utilities Board regarding applications for new or changed rates, conditions, terms of service, rulemaking proceedings, customer complaints, emissions planning budgets, energy efficiency programs, fuel and resource procurement plans, service territory determinations, and proposals to reorganize regulated utility businesses.

Rates for telecommunications are not regulated by the Office. However, the Office reviews tariffs for service standards and represents consumers in rulemaking, complaints, intercarrier disputes, and policy investigations to advance the goal of protecting consumers and ensuring competition in Iowa's telecommunications markets. The Office is authorized to represent consumers and the public before federal agencies on utility related matters.

### Consumer Advisory Panel

The Consumer Advisory Panel was created in 1983 and consists of nine members that represent varied interests from across the State. Five members are appointed by the Attorney General and four members are appointed by the Governor. The panel meets quarterly at the request of the Consumer Advocate to consult on public utility issues.

### Funding and Billings – Department of Commerce Revolving Fund

The Department of Commerce bills on behalf of the Iowa Utilities Board and the OCA in a combined billing for both agencies with a breakdown of the Office's costs and the Board's costs so companies can determine what the costs are for each entity.

The Office's billings include direct and indirect assessments. An example of a direct assessment is a company currently under rate review that would be assessed for the costs of the review. Any company required to file an annual report with the Office or the Board is billed for the remaining indirect costs. These are costs not directly related to a specific case. Approximately 450 companies are billed for indirect costs; this includes municipal utilities, telephone companies, and rate-regulated entities such as gas and electric companies.

The utility industry is usually billed semiannually, but sometimes quarterly. The Office and Board cannot bill the industry for more than they spend. The financial statements are reviewed and reconciled before the fiscal year closes.

Payments from the utility industry are deposited in the Department of Commerce Revolving Fund. The General Assembly appropriates from the Revolving Fund to the OCA in the Justice System Appropriations Act.

### Other States

Forty-one states have an OCA. Generally, the remaining states have a nongovernmental entity to provide consumer input before the Utility Board. The Board directs money from assessments on the utility industry to the entity. Most states are funded by assessments on the utility industry. Iowa is a member of the [National Association of State Utility Consumer Advocates](#).

### Related Statutes and Administrative Rules

Iowa Code Chapter [475A](#)

Iowa Administrative Code: [199IAC](#)

### More Information

Office of the Consumer Advocate: [http://www.state.ia.us/government/ag/protecting\\_utility/index.html](http://www.state.ia.us/government/ag/protecting_utility/index.html)

Office of the Attorney General: <http://www.state.ia.us/government/ag/index.html>

Iowa General Assembly: <http://www.legis.iowa.gov/index.aspx>

LSA Staff Contact: Beth Lenstra (515-281-6301) [beth.lenstra@legis.state.ia.us](mailto:beth.lenstra@legis.state.ia.us)

# **Appendix G**

## **FY 2011 Year-End Appropriations**



## FY 2011 Appropriation Activity

The following information provides a summary of the FY 2011 General Fund and non-General Fund appropriations for the departments under the purview of the Administration and Regulation Appropriations Subcommittee. Appropriations are adjusted for several factors throughout the fiscal year, including supplemental appropriations, deappropriations, and adjustments to standing appropriations to account for actual expenditures. Other activity associated with appropriated funds include: balances brought forward, transfers, and reversions. The tables show each of the departments' appropriations and the changes that occurred throughout the fiscal year. The changes include:

- Original Appropriation: The amounts appropriated from the General Fund in individual appropriation bills during the 2010 Legislative Session.
- \$83.7M Reduction: This was a mandatory General Fund reduction included in SF 2531 (FY 2011 Standing Appropriation Act) that was allocated by the Department of Management across all Executive Branch operational appropriations in January 2011. The reductions excluding the Board of Regents.
- Adjustments to Standings: These adjustments represent changes that are made to budgeted standing unlimited appropriations for the purpose of balancing out the year-end amount. There are numerous standing unlimited appropriations established in the Code. The exact amount for each of these appropriations is not known until the close of the fiscal year. As the General Assembly develops the budget, an estimated amount is included for budgeting purposes. This estimated appropriation is then adjusted to reflect actual expenditures.
- HF 45 Reduction: House File 45 (FY 2011 Appropriation Adjustments Act) included a provision that restricted the amount that State agencies could spend from their FY 2011 appropriations for: Office Supplies, Equipment, Printing and Binding, and Marketing. This requirement reduced agencies appropriations.
- Supplemental/Deappropriations: These changes represent the supplemental appropriations and deappropriations enacted in several bills during the 2011 Legislative Session.
- Total Net Appropriation: This is the sum of all of the above numbers and represents the final appropriation amount after the above legislative changes were applied.
- Balance Brought Forward: Appropriated funds allowed to carry forward from FY 2010 to FY 2011. These funds provided additional spendable dollars for FY 2011.
- Appropriation Transfers In and Out: These adjustments represent transferred appropriation spending authority between enacted appropriations. Most of the transfers were made by the Governor through the authority of Iowa Code section 8.39. There were a limited number of transfers enacted in session law during the 2011 Legislative Session. There were no transfers between non-General Fund appropriations during FY 2011.

- Balance Carry Forward: Appropriated funds that are allowed to carry forward from FY 2011 to FY 2012. Provides additional spendable dollars for FY 2012.
- Reversions: These are the unspent appropriated funds that revert back to the fund from which they were appropriated.
- Total Appropriation Expended: This number represents the appropriation after all of the above adjustments have been made. The result is the total appropriated funds that were expended in FY 2011.

### **Department of Justice:**

- Office of the Attorney General – The Office’s total budget was \$23.7 million, of this amount \$15.9 million (67.2%) was reimbursed from other agencies or funds. The Departments of Human Services (DHS - \$5.7 million) and Transportation (DOT - \$1.3 million) are the top two state agencies reimbursing the Attorney General’s Office. The majority of the DHS reimbursements are from Child Support Recovery Unit. The Office has increasingly relied on internal funds due to budget constraints in recent years. In FY 2006, \$1.3 million was spent from internal funds while \$3.1 million was spent in FY 2011, an increase of \$1.8 million (138.5%). The Office used 200.91 FTE positions in FY 2011, or 94.8% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: Office of the Attorney General](#) for more information.
- Victim Compensation Fund – The Fund does not receive a General Fund appropriation. Receipts consist of certain criminal fines (Operating While Intoxicated, Failure to have proof of insurance, criminal surcharge), restitution, inmate wages for those offenders employed in private sector employment managed by Iowa Prison Industries, subrogation, and federal funds such as the Victim of Crime Act (VOCA), Violence Against Women Act (VAWA), and Family Violence Prevention and Services Act. Funds carry over to the next fiscal year to provide cash flow and cash reserve. Total revenues available for expenditure in FY 2011 were \$ 13.8 million with receipts at \$10.5 million and carryover from FY 2010 at \$3.3 million. The Fund covers administrative costs of the Crime Victim Assistance Division, direct compensation to victims and service providers for certain expenses, sexual abuse exams, and victim advocate training. The Crime Victim Assistance Division used 21.32 FTE positions in FY 2011, or 96.9% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Crime Victim Assistance Division](#) for additional information.
- Victim Assistance Grants – The General Fund appropriation is combined with federal funds from VOCA, VAWA, and Family Violence Prevention and Services Act to make grants to service providers of victims of violent crimes including domestic abuse, sexual assault, hotlines for domestic abuse and sexual assault, homicide survivor programs, and victim and witness coordinators. Total revenues available in FY 2011 were \$10.6 million with \$3.1 million (29.3%) coming from the State General Fund appropriation and the remaining \$7.5 million generated by federal funds.
- Legal Services Poverty Grants – Current law requires the Office of the Attorney General to contract with a non-profit corporation to provide legal counsel to indigent people in civil matters. The General Fund appropriation of \$1.9 million in FY 2011 supported this legal requirement. Please refer to the **Fiscal Topic:** [Budget Unit: Legal Services Poverty Grants](#) for additional information.



- Office of the Consumer Advocate – The Office received an FY 2011 Department of Commerce Revolving Fund appropriation of \$3.3 million in FY 2011. The Office had an unspent balance of \$371,685. Since the expenses were not incurred, the utility industry was not billed. The Office used 17.7 FTE positions in FY 2011, or 80.5% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: Office of the Consumer Advocate](#) for additional information.

**Civil Rights Commission:** The total budget for the Commission was \$2.5 million in FY 2011; the General Fund appropriation was 52.7% of the total budget. The Commission received \$890,198 (35.1% of the total budget) from the EEOC and HUD. Receipts from both of these federal agencies have been declining in recent years. The downward trend in federal receipts may impact the need for additional General Fund appropriations in future fiscal years. The Commission used 28.52 FTE positions in FY 2011, or 96.7% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Iowa Civil Rights Commission](#) for additional information.

**Department of Inspections and Appeals, Office of the State Public Defender:** The Iowa Constitution requires that indigent defendants be provided counsel. The General Assembly appropriates fund to the Department of Inspections and Appeals for the Office of the State Public Defender and the Indigent Defense Fund. The Office administers the Fund that reimburses private sector attorneys for their costs in providing counsel to indigent defendants.

- Office of the State Public Defender: The total budget available was \$24.2 million in FY 2011; the General Fund appropriation was 99.4% of the total budget. The Office received reimbursement from the DOC for indigent defense services at the Iowa State Penitentiary at Fort Madison, and CBC District Departments to reimburse the costs of attorneys that staff Drug Courts. The Office used 205.45 FTE positions in FY 2011, or 93.8% of total FTE positions budgeted. There were 16.0 FTE positions added to the Office in FY 2011 to add staff at existing offices and open a new office in Ottumwa. All of those positions have been filled and FTE position utilization is expected to increase in FY 2012.
- Indigent Defense Fund: The total budget for the Indigent Defense Fund was \$33.5 million; the General Fund appropriation was 94.5% of the total budget. Additionally, counties maintain a “base” of expenses for juvenile proceedings. The statewide base is determined by Iowa Code section 232.141 and was \$1.5 million in FY 2011.

**Department of Corrections:** The total budget available was \$375.8 million; State appropriated funds were 90.3% of the total budget. The majority of the remaining 9.7% is either local income in the CBC District Departments or major maintenance funding in the Institutions (prison system).

- Community-Based Corrections: Total funding available was \$102.8 million, of which \$79.4 million (77.2%) was State funds and \$23.4 million (22.8%) was local income. This is income from offender fees, program fees, direct federal grants (if any), pass-through funding (usually grant awards from State agencies), and service contracts with local governments. Local funds may carry over to the next fiscal year to be used for expenditures. The District Departments used 944.62 FTE positions, or 84.2% of total FTE positions budgeted. Vacant positions were not filled due to budget constraints. Please refer to the **Fiscal Topics:** [Community-Based Corrections](#) and [Community-Based Residential Facilities](#) for additional information.

- Central Office: The total budget for the Office was \$4.6 million; the General Fund appropriation was 99.0% of the total budget. The Office used 40.12 FTE positions, or 97.85% of total FTE positions budgeted. The Office's appropriation also includes funds for the Corrections Learning Center (refer to the **Fiscal Topic:** [Department of Corrections Training](#)) for more information. The Office administers the following Accounts that receive General Fund appropriations as indicated in the following tables: ICON, County Confinement, Federal Prisoners/Contractual, Corrections Education, Hepatitis Treatment and Education, and Mental Health/Substance Abuse Training Materials. Central Office also administers the [State Criminal Alien Assistance Program](#).
- Institutions: Total funding available was \$263.4 million in FY 2011; State appropriated funds were 98.9% of the total budget. The majority of the remaining miscellaneous income is major maintenance funds. The Institutions used 1,456.84 correctional officer positions, or 91.9% of the amount budgeted. The Institutions used a total of 2,608.56 FTE positions (including correctional officers), or 93.25% of the total FTE positions budgeted. Vacant positions were not filled due to budget constraints.
- Iowa Prison Industries administers traditional industry programs, the prison farms, private sector employment of inmates, and restorative justice programs such as the Habitat for Humanity project. Iowa Prison Industries does not receive a State appropriation. Rather, it must generate income to support its operations.

**Iowa Law Enforcement Academy:** The total budget for the Academy was \$2.5 million in FY 2011; the General Fund appropriation was 34.1% of the total budget. The Academy received \$1.2 million (49.4% of the total budget) from billings to local governments and \$280,000 (11.4% of total budget) for the training of Department of Transportation and Natural Resources officers at the Academy. The Academy used 22.46 FTE positions in FY 2011, or 88.1% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Iowa Law Enforcement Academy](#) for additional information.

**Board of Parole:** The total budget of the Board was \$1.0 million in FY 2011; the Board relies on its General Fund appropriation to function. The Board used 9.59 FTE positions in FY 2011, or 76.7% of total FTE positions budgeted. Several of the Board member positions were vacant in FY 2011. Please refer to the **Fiscal Topic:** [Budget Unit: Board of Parole](#) for additional information.

**Department of Public Defense – Military Division:** The total budget for the Military Division was \$46.9 million in FY 2011; the General Fund appropriation was 12.5% of the total budget. The Military Division received \$39.3 million (83.8% of the total budget) from the federal government. The Military Division used 280.41 FTE positions in FY 2011, or 94.3% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: Department of Public Defense, Military Division](#) for additional information.

**Department of Public Defense – Homeland Security and Emergency Management Division:** The total budget for the Homeland Security and Emergency Management Division was \$4.2 million in FY 2011; the General Fund appropriation was 46.5% of the total budget. The Homeland Security and Emergency Management Division received \$2.0 million (47.9% of the total budget) from the federal government. The Homeland Security and Emergency Management Division used 124.35 FTE positions in FY 2011 of which 28.4% are budgeted from the State General Fund. Refer to the **Fiscal Topic:** [Budget Unit: Homeland Security and Emergency Management Division](#) for additional information.

### **Department of Public Safety:**

- Administrative Services Division - The total budget for the Administration Division was \$6.1million in FY 2011; the General Fund appropriation was 65.2% of the total budget. The Division received \$1.7 million (26.9% of the total budget) from the local governments. The Division used 33.18 FTE positions in FY 2011, or 92.3% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: Department of Public Safety Administrative Services Division](#) for additional information.
- Division of Criminal Investigation – The total budget for the Division of Criminal Investigation (DCI) was \$19.4 million in FY 2011; the General Fund appropriation was 64.6% of the total budget. The DCI received \$1.2 million (6.1%) in federal funds, \$1.1 million (5.6%) through intra state receipts received from other State agencies, \$1.4 million (7.4%) from reimbursements from other agencies and \$3.2 million (16.4%) from fees, licenses, and permits. The DCI used 149.13 FTE positions in FY 2011, or 96.2% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: Division of Criminal Investigation](#) for additional information.
- Division of Narcotics Enforcement – The total budget for the Division of Narcotics Enforcement (DNE) was \$8.5 million in FY 2011; the General Fund appropriation was 75.7% of the total budget. The DNE received \$2.0 million (24.1%) from intra state receipts. The DNE used 69.12 FTE positions in FY 2011, or 100.0% of total FTE positions budgeted.
- Office of the State Fire Marshal – The total budget for the Fire Marshal’s Office was \$5.7 million in FY 2011; the General Fund appropriation was 75.1% of the total budget. The Fire Marshal received \$1.1 million (19.9%) through intra state receipts. The DCI used 54.11 FTE positions in FY 2011, or 100.0% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: State Fire Marshal’s Office](#) for additional information.
- Iowa State Patrol – The total budget for the Iowa State Patrol was \$55.6 million in FY 2011; the General Fund appropriation was 87.2% of the total budget. The Patrol received \$1.1 million (2.1%) in federal funds, \$4.4 million (7.8%) through intra state receipts, and \$1.5 million (2.7%) from reimbursements from other agencies. The Patrol used 497.4 FTE positions in FY 2011, or 99.9% of total FTE positions budgeted. Refer to the **Fiscal Topic:** [Budget Unit: Iowa State Patrol](#) for additional information.
- Fire Fighter Training – The total budget for Fire Fighter Training was \$762,916 in FY 2011; the General Fund appropriation was 80.3% of the total budget. Fire Fighter Training received \$150,000 (19.7%) through intra state receipts. Refer to the **Fiscal Topic:** [Volunteer Fire Departments](#) for additional information.

**Judicial Branch:** The total budget for the Judicial Branch was \$159.4 million in FY 2011; the General Fund appropriation was 93.4% of the total budget. The Judicial Branch received \$9.1 million (5.7% of the total budget) from intra state receipts of which \$5.3 million was from the Public Safety Enforcement Fund and the remainder was from the Department of Human Services (DHS) for drug courts, central intake, and child support to help the clerks in processing IV-D cases.. There was also \$1.4 million received (0.9% of the total budget) from federal funds. The Division used 1,756.60 FTE positions in FY 2011, or 98.6% of total FTE positions budgeted.

# GENERAL FUND APPROPRIATIONS

## FY 2011 General Fund Appropriation Activity Department of Justice

Appropriation Name	Original Approp	\$83.7M Reductions	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Approp Expended
General Office AG	\$ 7,792,930	\$ 0	\$ -10,248	\$ 0	\$ 0	\$ 7,782,682	\$ 0	\$ 0	\$ 0	\$ 0	\$ -5,125	\$ 7,777,557
Victim Assistance Grants	\$ 3,060,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,060,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ -4,256	\$ 3,055,744
Legal Services Poverty Grants	1,930,671	0	0	0	0	1,930,671	0	0	0	0	0	1,930,671
<b>Total</b>	<b>\$ 12,783,601</b>	<b>\$ 0</b>	<b>\$ -10,248</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 12,773,353</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -9,381</b>	<b>\$ 12,763,972</b>

In addition to the FY 2011 General Fund appropriation, the Office of the Attorney General received a one-time State allocation of \$150,000 from the Public Safety Enforcement Fund.

## FY 2011 General Fund Appropriation Activity Civil Rights Commission

Appropriation Name	Original Appropriation	\$83.7M Reductions	Change	Supplemental/ Deappropriations	Adjustments to Standings	Net Appropriation	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Appropriation Expended
Civil Rights Commission	\$ 1,379,861	\$ -44,579	\$ -693	\$ 0	\$ 0	\$ 1,334,589	\$ 0	\$ 0	\$ 0	\$ -3,391	\$ -3,391	\$ 1,327,807
<b>Total</b>	<b>1,379,861</b>	<b>-44,579</b>	<b>-693</b>	<b>0</b>	<b>0</b>	<b>1,334,589</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-3,391</b>	<b>-3,391</b>	<b>1,327,807</b>

In addition to the FY 2011 General Fund appropriation, the Iowa Civil Rights Commission received a one-time State allocation of \$100,000 from the Public Safety Enforcement Fund and \$44,579 from the Cash Reserve Fund.

## FY 2011 General Fund Appropriation Activity Department of Inspections and Appeals

Appropriation Name	Original Appropriation	\$83.7M Reductions	Change	Supplemental/ Deappropriations	Adjustments to Standings	Net Appropriation	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Appropriation Expended
Indigent Defense	\$ 15,680,929	\$ 0	\$ 0	\$ 16,000,000	\$ 0	\$ 31,680,929	\$ 145,346	\$ 0	\$ -2,088,686	\$ 0	\$ -192,732	\$ 29,544,857
Public Defender	22,883,182	-1,351,500	0	2,551,500	0	24,083,182	0	0	0	-381,574	-381,574	23,320,034
<b>Total</b>	<b>38,564,111</b>	<b>-1,351,500</b>	<b>0</b>	<b>18,551,500</b>	<b>0</b>	<b>55,764,111</b>	<b>145,346</b>	<b>0</b>	<b>-2,088,686</b>	<b>-381,574</b>	<b>-574,306</b>	<b>52,864,891</b>

# GENERAL FUND APPROPRIATIONS

FY 2011 General Fund Appropriation Activity Department of Corrections													
Appropriation Name	Original Appropriation	\$83.7M Reductions	Change	Supplemental/ Deappropriations	Adjustments to Standings	Net Appropriation	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Appropriation Expended	
CBC District I	\$ 12,453,082	\$ -926,337	\$ 0	\$ 393,353	\$ 0	\$ 11,920,098	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 11,920,098	
CBC District II	\$ 10,770,616	\$ -794,580	\$ 0	\$ 360,912	\$ 0	\$ 10,336,948	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 10,336,948	
CBC District III	\$ 5,715,578	\$ -435,492	\$ 0	\$ 221,793	\$ 0	\$ 5,501,879	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,501,879	
CBC District IV	\$ 5,522,416	\$ -300,128	\$ 0	\$ 169,067	\$ 0	\$ 5,391,355	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,391,355	
CBC District V	\$ 18,938,081	\$ -1,254,589	\$ 0	\$ 723,637	\$ 0	\$ 18,407,129	\$ 0	\$ 0	\$ 0	\$ -250,000	\$ -250,000	\$ 17,907,129	
CBC District VI	\$ 13,030,356	\$ -780,932	\$ 0	\$ 460,329	\$ 0	\$ 12,709,753	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 12,709,753	
CBC District VII	\$ 6,846,560	\$ -619,177	\$ 0	\$ 265,431	\$ 0	\$ 6,492,814	\$ 0	\$ 0	\$ 0	\$ -8,728	\$ -8,728	\$ 6,475,358	
CBC District VIII	\$ 6,935,622	\$ -382,558	\$ 0	\$ 177,991	\$ 0	\$ 6,731,055	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 6,731,055	
State Cases Court Costs	\$ 59,733	\$ 0	\$ 0	\$ 0	\$ -59,733	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	
Corrections Administration	\$ 4,254,068	\$ -127,216	\$ 0	\$ 110,202	\$ 0	\$ 4,237,054	\$ 0	\$ 0	\$ 0	\$ 0	\$ -155	\$ 4,236,899	
Iowa Corrections Offender Network	\$ 424,364	\$ 0	\$ 0	\$ 0	\$ 0	\$ 424,364	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 424,364	
County Confinement	\$ 775,092	\$ 0	\$ 0	\$ 0	\$ 0	\$ 775,092	\$ 0	\$ 315,000	\$ 0	\$ 0	\$ -25,374	\$ 1,064,718	
Federal Prisoners/Contractual	\$ 239,411	\$ 0	\$ 0	\$ 0	\$ 0	\$ 239,411	\$ 0	\$ 261,224	\$ 0	\$ 0	\$ 0	\$ 500,635	
Corrections Education	\$ 1,558,109	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,558,109	\$ 83,164	\$ 0	\$ 0	\$ -4,311	\$ 0	\$ 1,636,962	
Hepatitis Treatment and Education	\$ 167,881	\$ 0	\$ 0	\$ 0	\$ 0	\$ 167,881	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 167,881	
Mental Health/Substance Abuse	\$ 22,319	\$ 0	\$ 0	\$ 0	\$ 0	\$ 22,319	\$ 0	\$ 0	\$ 0	\$ 0	\$ -1,468	\$ 20,851	
Ft. Madison Institution	\$ 39,991,374	\$ -3,457,856	\$ 0	\$ 1,920,083	\$ 0	\$ 38,453,601	\$ 760,751	\$ 825,852	\$ 0	\$ 0	\$ -4	\$ 40,040,200	
Anamosa Institution	\$ 30,416,461	\$ -2,145,667	\$ 0	\$ 1,293,060	\$ 0	\$ 29,563,854	\$ 520,369	\$ 0	\$ 0	\$ -2,197	\$ -2,197	\$ 30,079,829	
Oakdale Institution	\$ 55,755,246	\$ -3,140,347	\$ 0	\$ 2,385,141	\$ 0	\$ 55,000,040	\$ 1,509,081	\$ 0	\$ 0	\$ -2	\$ -2	\$ 56,509,117	
Newton Institution	\$ 26,452,257	\$ -1,852,964	\$ 0	\$ 1,101,460	\$ 0	\$ 25,700,753	\$ 36,914	\$ 581,610	\$ 0	\$ 0	\$ -16	\$ 26,319,261	
Mt. Pleasant Institution	\$ 26,265,257	\$ -2,073,612	\$ 0	\$ 1,359,865	\$ 0	\$ 25,551,510	\$ 35,820	\$ 0	\$ 0	\$ -4,712	\$ -4,712	\$ 25,577,906	
Rockwell City Institution	\$ 9,324,565	\$ -657,907	\$ 0	\$ 412,008	\$ 0	\$ 9,078,666	\$ 145	\$ 0	\$ 0	\$ 0	\$ 0	\$ 9,078,811	
Clarinda Institution	\$ 23,645,033	\$ -1,809,356	\$ 0	\$ 1,180,617	\$ 0	\$ 23,016,294	\$ 337,828	\$ 0	\$ 0	\$ -4,436	\$ -4,436	\$ 23,345,250	
Mitchellville Institution	\$ 15,486,586	\$ -707,412	\$ 0	\$ 504,674	\$ 0	\$ 15,283,848	\$ 166,634	\$ 0	\$ 0	\$ -139	\$ -139	\$ 15,450,204	
Ft. Dodge Institution	\$ 29,020,235	\$ -1,872,110	\$ 0	\$ 1,162,060	\$ 0	\$ 28,310,185	\$ 195,885	\$ 0	\$ 0	\$ -55	\$ -55	\$ 28,505,960	
Total	344,070,302	-23,338,240	0	14,201,683	-59,733	334,874,012	3,646,591	1,983,686	0	-274,580	-297,286	339,932,423	

In addition to the FY 2011 General Fund appropriation, the Department of Corrections (DOC) and Community-Based Correction (CBC) District Departments received a one-time State allocation of \$3,335,000 from the Public Safety Enforcement Fund and \$1,022,962 from the Cash Reserve Fund.

FY 2011 Local Income Carry Forward to FY 2012:  
The Eight CBC District Departments negotiate with the DOC to carry forward local funds from one fiscal year to the next fiscal year. In addition to the General Fund appropriations brought forward by the CBC District Departments (\$258,728), seven of the eight CBC District Departments brought forward \$2,761,768 in local funds as indicated below.

# GENERAL FUND APPROPRIATIONS

Appropriation Name	Local Funds Carry Forward	Source of Funds
CBC District I	501,675	
CBC District II	708,707	
CBC District III	8,032	
CBC District IV	15,363	
CBC District V	1,354,325	
CBC District VII	63,699	
CBC District VIII	109,968	
Total	<u>\$ 2,761,769</u>	

Most of the funds were generated by unexpected increases in residential rent collections, US Bureau of Prisons Revenue, and savings in utilities expenses.

The CBC District Departments plan to use the funds for salary adjustment costs and support budget increases.

FY 2011 Reallocations: Iowa Code chapters 904.116 and 905.8 permit the DOC and CBC District Departments to reallocate as necessary within the corrections system.

During FY 2011, \$346,871 was reallocated from the First (\$101,448), Second (\$87,242), and Fifth (\$158,181) CBC District Departments to the Third CBC District Department.

During FY 2011, \$1,744,839 was reallocated from the Oakdale prison to the following budgets: Fort Madison (\$350,148), Anamosa (\$78,874), Central Office (\$287,632), Newton (\$350,148), Rockwell City (\$108,892), and Clarinda (\$569,145).

FY 2011 General Fund Appropriation Activity Iowa Law Enforcement Academy												
Appropriation Name	Original Approp	\$83.7M Reductions	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Approp Expended
Iowa Law Enforcement Academy	\$ 1,049,430	\$ -200,283	\$ -8,480	\$ 0	\$ 0	\$ 840,667	\$ 0	\$ 105,000	\$ 0	\$ 0	\$ -73,996	\$ 871,671
Total	<u>\$ 1,049,430</u>	<u>\$ -200,283</u>	<u>\$ -8,480</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 840,667</u>	<u>\$ 0</u>	<u>\$ 105,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -73,996</u>	<u>\$ 871,671</u>

# GENERAL FUND APPROPRIATIONS

## FY 2011 General Fund Appropriation Activity Iowa Board of Parole

Appropriation Name	Original Approp	\$83.7M Reductions	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Approp Expended
Board of Parole	\$ 1,045,259	\$ -76,216	\$ 0	\$ 0	\$ 0	\$ 969,043	\$ 0	\$ 0	\$ 0	\$ -9,025	\$ -9,025	\$ 950,993
Total	\$ 1,045,259	\$ -76,216	\$ 0	\$ 0	\$ 0	\$ 969,043	\$ 0	\$ 0	\$ 0	\$ -9,025	\$ -9,025	\$ 950,993

In addition to the FY 2011 General Fund appropriation, the Board of Parole received a one-time State allocation of \$50,000 from the Cash Reserve Fund.

## FY 2011 General Fund Appropriation Activity Department of Public Defense

Appropriation Name	Original Approp	\$83.7M Reductions	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Approp Expended
Department of Public Defense	\$ 6,249,201	\$ -369,369	\$ 0	\$ 0	\$ 0	\$ 5,879,832	\$ 0	\$ 0	\$ 0	\$ -3,649	\$ -3,649	\$ 5,872,534
Homeland Security and Emergency Management Division	2,038,119	-83,994	-13,577	0	0	1,940,548	0	0	0	-13,093	-13,093	1,914,362
Total	\$ 8,287,320	\$ -453,363	\$ -13,577	\$ 0	\$ 0	\$ 7,820,380	\$ 0	\$ 0	\$ 0	\$ -16,742	\$ -16,742	\$ 7,786,896
<b>Standing Appropriations</b>												
Compensation and Expense	\$ 344,644	\$ 0	\$ 0	\$ 0	\$ 1,277,091	\$ 1,621,735	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,621,735
Total Standing Appropriations	\$ 344,644	\$ 0	\$ 0	\$ 0	\$ 1,277,091	\$ 1,621,735	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,621,735
Total Appropriations	\$ 8,631,964	\$ -453,363	\$ -13,577	\$ 0	\$ 1,277,091	\$ 9,442,115	\$ 0	\$ 0	\$ 0	\$ -16,742	\$ -16,742	\$ 9,408,631

# GENERAL FUND APPROPRIATIONS

## FY 2011 General Fund Appropriation Activity Department of Public Safety

Appropriation Name	Original Approp	\$83.7M Reductions	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Approp Expended
DPS-POR Permissive Service Credit Purchase	\$ 135,000	\$ 0	\$ 0	\$ 0	\$ -39,583	\$ 95,417	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 95,417
Public Safety Administration	4,134,461	-402,386	0	275,000	0	4,007,075	0	0	0	-12,492	-12,492	3,982,091
Public Safety DCI	12,861,710	-652,779	0	325,000	0	12,533,931	0	0	0	-17,511	-17,511	12,498,909
DCI - Crime Lab Equipment/Training	302,345	0	0	0	0	302,345	0	0	0	0	0	302,345
Public Safety Undercover Funds	109,042	0	0	0	0	109,042	0	0	0	0	0	109,042
Narcotics Enforcement	6,507,048	-302,164	0	225,000	0	6,429,884	0	0	0	-2,611	-2,611	6,424,662
DPS Fire Marshal	4,343,896	-175,189	0	130,000	0	4,298,707	0	0	0	-6,692	-6,692	4,285,323
Iowa State Patrol	48,984,147	-2,478,382	0	2,000,000	0	48,505,765	0	0	0	-245,979	-245,979	48,013,807
DPS/SPOC Sick Leave Payout	279,517	0	0	0	0	279,517	0	0	0	0	0	279,517
Fire Fighter Training	612,255	0	0	0	0	612,255	661	0	0	-21,948	0	590,968
<b>Total</b>	<b>\$ 78,269,421</b>	<b>\$ -4,010,900</b>	<b>\$ 0</b>	<b>\$ 2,955,000</b>	<b>\$ -39,583</b>	<b>\$ 77,173,938</b>	<b>\$ 661</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -307,233</b>	<b>\$ -285,285</b>	<b>\$ 76,582,081</b>

In addition to the FY 2011 General Fund appropriation, the Department of Public Safety received a one-time State allocation of \$450,000 from the Public Safety Enforcement Fund and \$180,065 from the Cash Reserve Fund.

## FY 2011 General Fund Appropriation Activity Judicial Branch

Appropriation Name	Original Approp	\$83.7M Reductions	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Transfers In	Transfers Out	Bal Forward to FY 2012	Reversions	Approp Expended
Judicial Branch	\$ 148,811,822	\$ 0	\$ 0	\$ 0	\$ 0	\$ 148,811,822	\$ 0	\$ 0	\$ 0	\$ -36,674	\$ -36,674	\$ 148,738,474
Jury and Witness to Revolving Fund	1,500,000	0	0	0	0	1,500,000	0	0	0	0	0	1,500,000
<b>Total</b>	<b>\$ 150,311,822</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 150,311,822</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -36,674</b>	<b>\$ -36,674</b>	<b>\$ 150,238,474</b>

In addition to the FY 2011 General Fund appropriation, the Judicial Branch received a one-time State allocation of \$5,300,000 from the Public Safety Enforcement Fund.



# OTHER FUNDS APPROPRIATIONS

## FY 2011 Other Funds Appropriation Activity Department of Justice - Attorney General's Office

Appropriation Name	Funding Source	Original Approp	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Bal Forward to FY 2012	Reversions	Approp Expended
Consumer Advocate	Commerce Revolving Fund	\$ 3,336,344	\$ -17,879	\$ 0	\$ 0	\$ 3,318,465	\$ 0	\$ 0	\$ -371,685	\$ 2,946,780
Total		\$ 3,336,344	\$ -17,879	\$ 0	\$ 0	\$ 3,318,465	\$ 0	\$ 0	\$ -371,685	\$ 2,946,780

This is NOT a reversion - it is unexpended spending authority. The OCA only bills the industry for actual expenses.  
If the expenses were not incurred, the industry was not billed. So there is no reversion.

## FY 2011 Other Funds Appropriation Activity Department of Public Defense

Appropriation Name	Funding Source	Original Approp	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Bal Forward to FY 2012	Reversions	Approp Expended
DPD - Federal Recovery and Reinvestment Fund	Federal Recovery and Reinvestment Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 180,000	\$ 0	\$ -242	\$ 179,758
Total		\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 180,000	\$ 0	\$ -242	\$ 179,758

## FY 2011 Other Funds Appropriation Activity Department of Public Safety

Appropriation Name	Funding Source	Original Approp	HF 45 Reduction	Supp/ Deapprop	Adjust to Standings	Net Approp	Bal Forward from FY 2010	Bal Forward to FY 2012	Reversions	Approp Expended
DPS Gaming Enforcement	DPS Gaming Enforcement Fund	\$ 9,315,306	\$ -42,717	\$ 521,000	\$ 0	\$ 9,793,589	\$ 0	\$ 0	\$ -14,380	\$ 9,779,209
Total		\$ 9,315,306	\$ -42,717	\$ 521,000	\$ 0	\$ 9,793,589	\$ 0	\$ 0	\$ -14,380	\$ 9,779,209